

‘HE IS A LIAR, A BOUNDER, AND A CAD’

The Arousal of Hostile Emotions in Attic Forensic Oratory

Ed Sanders

1 INTRODUCTION¹

In the Classical Athenian political/legal system of direct democracy (c. 479–322 BCE), the executive, legislative, and judicial branches of government were fused, all male citizens (collectively known as the *dêmos*) having the right, and indeed duty, to take part in assemblies and to sit on juries. In the lawcourt the same individuals were judges and jury.²

Greek rhetoric traditionally refers to three branches of oratory – ‘forensic’ (i.e. delivered in a court of law), ‘deliberative’ (i.e. delivered to the Assembly or other body), and ‘epideictic’ (i.e. display speeches, e.g. orations over the war dead)³ – though in fact other types exist (e.g. envoy speeches, addresses to an army, messenger speeches). Some 165 literary works survive from Athens in this period that are collectively known as the ‘Attic oratorical corpus’ – though a quarter of these are not in fact speeches, but tracts (written to be published, rather than delivered to a mass audience), rhetorical exercises, or letters (some pseudo-

- 1 I should like to thank Lene Rubinstein for her very detailed comments on an earlier draft of this chapter. For the names of all ten Attic orators I am using the Latinised spelling, consistent with the Oxford Classical Dictionary, (i.e. Andocides not Andokides). The quote in the title is taken from *Blackadder the Third*, episode 3 ‘Nob and Nobility’.
- 2 Juries comprised 201 or 401 male citizens in private suits ([Aristotle], *Athenaion Politeia* 53.3), depending on the monetary amount at stake, and 501, 1001, or 1501 in public suits (*Athenaion Politeia* 68.1 – or 1000 or 1500, the text is incomplete) – see Harrison 1971, 47, 239–241; MacDowell 1978, 36–40; Rhodes 1981, 728f.; Todd 1993, 83; Rubinstein 2009, 507. See below for further discussion of the differences between public and private suits.
- 3 E.g. Aristotle, *Rhetoric* 1.3 1358b6–8. I shall refer to Aristotle’s treatise *The Art of Rhetoric* (usually simply called the *Rhetoric*) frequently. This should not be taken as implying that I believe his views can be accepted without question – in many instances he is demonstrably wrong (as here). But as a theorist of rhetorical emotion arousal he was unparalleled in this period, and his views carry weight, especially when they can be independently verified by evidence from real-life oratory. Where I quote his views, I shall demonstrate that they are indeed supportable. Aristotle’s *Rhetoric* was written between 355–323 BCE (Kennedy 2007, 18). Another rhetorical treatise, with somewhat less to say about emotion, is the *pseudo-Aristotelian Rhetoric to Alexander* – dated by Chiron (2002, xl, cvii) to the second half of the fourth century BCE. This makes the composition of both treatises broadly contemporary with at least half of the surviving Attic oratorical corpus (see note 4 below).

nymously attributed). Of the remaining three quarters, which are speeches, some are deliberative, a handful are epideictic, and the remainder are forensic. It is these last that I shall be exclusively concerned with in this chapter.⁴

A legal suit could be either private (*dikê*, pl. *dikai*) or public (*graphê*, pl. *graphai*).⁵ The reason for the prosecution is written afterwards in the genitive case (e.g. *graphê asebeias* = public suit for impiety). It should be noted that, strictly, all cases were *dikai*, but this term was usually not applied to public suits (with the exception of homicide = *dikê phonou*). Those personally affected could sometimes choose whether to bring a public or private suit.⁶ In private suits, prosecution and defence were generally each allowed two speeches, the second providing a chance to respond to the opponent's argument or to emphasise points.⁷ From the point of view of emotion arousal, we might note that the follow-up speeches were the last chance to arouse an audience's hostile emotions against the opponent (prosecution), or friendly emotions for the speaker (defence). However, the surviving evidence is extremely limited,⁸ and so it is hard to draw any

4 The 'Attic oratorical corpus' survives under the names of ten authors. Some are known or thought to be pseudonymously attributed (represented e.g. [Demosthenes] for *pseudo*-Demosthenes), though are often nevertheless genuine works of the period. The ten, with the number and approximate dates (BCE) of their surviving numbered works, are: Antiphon (six; c. 422–c. 410); Andocides (four; 411–391); Lysias (thirty-four; 403–c. 378); Isocrates (twenty-one, plus nine letters; c. 403–338 – though speeches actually delivered are all early); Isaeus (twelve; c. 389–c. 343); Demosthenes (sixty-one, plus a collection of prologues, and six letters; 364–323); Aeschines (three; 346–330); Hyperides (six; c. 338–322); Lycurgus (one; 331); Dinarchus (three; 323). For methodological reasons I exclude from consideration all works that were not performed in front of a mass Athenian audience, and cannot therefore be assumed to reflect the values of the Athenian *dêmos*: tracts (Lysias 34; Isocrates 1–15; Demosthenes 11–12, 61); rhetorical exercises (Antiphon 2–4; Andocides 4; Lysias 11; Demosthenes prologues); letters (Isocrates: nine; Demosthenes: six); resignation letter (Lysias 8); delivered outside Athens (Isocrates 19). I also exclude deliberative speeches (Andocides 3; Demosthenes 1–10, 13–17) and epideictic speeches (Lysias 2, 33; Demosthenes 60; Hyperides 6). Finally, I exclude fragments (even if forensic oratory and believed genuine), for practical rather than methodological reasons: generally these are not sufficiently complete for covert arguments to be reconstructed with confidence. In this chapter then, I work from a reduced corpus of 105 forensic (i.e. trial) speeches written to be delivered in front of a mass Athenian audience (Antiphon 1, 5–6; Andocides 1–2; Lysias 1, 3–7, 9–10, 12–32; Isocrates 16–18, 20–21; Isaeus 1–12; Demosthenes 18–59; Aeschines 1–3; Hyperides 1–5; Lycurgus 1; Dinarchus 1–3). Twenty-five of these were written for delivery by the author (see Rubinstein 2009, 511 for a list – she excludes Andocides 2, which I include as forensic in effect if not in form), the remainder written (often for pay) for delivery by someone else.

5 MacDowell 1978, 57–61; Todd 1993, 99–102.

6 See Osborne 1985 and Carey 2004 for detailed discussions of choice of procedure; see also below (§ 2.1), for the practical consequences (including for arousing emotions) of their choice. On the many differences between public and private suits, see Harrison 1971, 76–78; MacDowell 1978, 53–66, 235–259; Todd 1993, 99–146; in the main text I only mention differences relevant to this chapter.

7 MacDowell 1978, 249.

8 Only three follow-up prosecution speeches (Demosthenes 28, 31, 46), and no follow-up defence speeches, survive.

meaningful conclusions, and it is not obvious that the follow-up speeches that survive are more dedicated to emotion arousal than the first speech in each trial.⁹ In public suits there was one slot allocated to each of the prosecution and defence, but apparently (at least in some cases) no limit on how many speakers could speak within that slot.¹⁰ We have many examples of both prosecution and defence speeches, in both public and private cases, as well as speeches from ‘adjudications’ (in which neither side was formally prosecutor/defendant, and only one speech for each side was normally allowed). After a successful prosecution, the punishment (except where determined by statute) had to be assessed. The prosecutor and defence each made another speech regarding the punishment that should be imposed.¹¹ Once again it may be assumed that these speeches frequently contained appeals to the emotions, but unfortunately we have little idea as not one (non-fictional) example has survived.

Arousing the audience’s emotions was one vital technique of the Athenian, or indeed any, orator. According to Aristotle, arousal of an audience’s emotions is one of three modes of proof available to an orator, alongside rational argument and discussion of character.¹² In modern scholarship on Attic oratory, most attention has so far fallen on explicit calls, of which there are many, for the jury to feel some emotion for an explicit reason.¹³ For instance, Demosthenes in *Against Meidias* calls explicitly for his audience to feel hatred (*misos*), resentment (*phthonos*), and anger (*orgê*) for his opponent because of his lifestyle and conduct, and explicitly tries to suppress any pity Meidias has deceived them into feeling.¹⁴

However, there are two problems with looking only at explicit calls for a jury’s emotional response. The first is that they frequently do not occur – for

9 See, however, below p. 378, *re* Demosthenes 28.

10 Dinarchus 2.6–7 mentions that the ten prosecutors in that trial could each give a short speech. Lysias 14 and 15 appear to be two supporting speeches from the same prosecution (unless one is a rhetorical exercise – a possibility given little credence by Todd 2000, 162, and roundly dismissed by Carey 1989, 142 note 1). On supporting speeches in general, in both public and private suits, see Rubinstein 2000.

11 See Harrison 1971, 166–168; MacDowell 1978, 253f.; Todd 1993, 133–135.

12 *Rhetoric* 1.2 1356a14–15: διὰ δὲ τῶν ἀκροατῶν, ὅταν εἰς πάθος ὑπὸ τοῦ λόγου προαχθῶσιν. For rational argument and discussion of character see *Rhetoric* 1.2 1356a1–4. I use the word audience here loosely. Since my concern in this chapter is exclusively with forensic oratory, the audience will be a jury.

13 E.g. Johnstone 1999, 110–125 on pity; Allen 2000 on anger; Rubinstein 2000, 212–231 on gratitude; Fisher 2003 on envy; Kurihara 2003 on hatred; Rubinstein 2004 on anger and hatred; Bers 2009, 77–98 on pity.

14 Demosthenes 21.196.4–6: μεγάλην μέντ’ ἂν ἀρχήν, μᾶλλον δὲ τέχνην, εἷς εὐρηκώς, εἰ δύο τὰναντιώταθ’ ἑαυτοῖς ἐν οὕτῳ βραχεῖ χρόνῳ περὶ σαυτὸν δύναιο ποιεῖσθαι, φθόνον ἐξ ὧν ζῆς, καὶ ἐφ’ οἷς ἐξαπατᾶς ἔλεον. οὐκ ἔστιν οὐδαμόθεν σοι προσήκων ἔλεος οὐδὲ καθ’ ἑν, ἀλλὰ τοῦναντίον μῖσος καὶ φθόνος καὶ ὀργή (‘You would certainly have discovered a great source of power – or rather of deceit – if you are able to gain for yourself two things that are most completely at odds with one another: resentment for the way you live and pity for your hypocrisy. There is no way that pity is the appropriate response for you, not in any respect, but the opposite: hatred and resentment and anger. These are the responses that your actions deserve’; translated by Harris 2008, 157, slightly modified).

instance, explicit calls for anger and hatred are largely confined to public prosecutions,¹⁵ while calls for *phthonos* (resentment) are rare as the word normally has negative connotations (i.e. envy).¹⁶ The second problem is that explicit calls for an emotional response cannot emerge in a vacuum; rather they must be built up to (as those against Meidias painstakingly are), or subsequently explained, or at the very least arise naturally from narrated circumstances. It is notable that Aristotle, who makes the first and most explicit case for linking emotion arousal to rhetoric, does not tell an orator to call for emotions, but rather to show the audience that certain situations exist so these emotions will arise naturally – for example, he says a speech might need to prepare the audience to be disposed to be angry, and show the opponents as liable for such things that cause anger, and that they are the sort of people one should be angry at.¹⁷

This sort of covert emotion arousal has so far received far less attention from modern scholars of oratory, yet it is the kind most intimately bound up with the value systems of the audience and hence the cultural construction of such emotions.¹⁸ Barbara Rosenwein's concept of 'emotional communities' may be fruitfully applied in this context.¹⁹ 'Emotional communities' are generally the same as social communities, in which members 'have a common stake [and] interests' and are 'tied together by fundamental assumptions, values, goals, feeling rules, and accepted modes of expression'.²⁰ At the highest level this could be a nation, a tribe, or a Greek *polis*. Within this overarching community, though, will be subordinate emotional communities, such as the family, Assembly members, tavern goers, celebrants at a sacrifice etc.; and as people move from one sub-community to another they will adjust their cognitive judgments and emotional displays accordingly.²¹ The Athenian male citizens who acted as jurors in the physical setting of the lawcourt were an emotional sub-community. There are certain emotional responses specific to this sub-community – for instance (as I argue below) Athenians respond to sykophants with hatred in the lawcourt, but might respond with a different emotion to them on stage in the comic theatre;

15 Rubinstein 2004. Bers 2009, 77–93 argues that appeals to pity too must be carefully nuanced.

16 See further below on appeals to *phthonos*, and its meanings; also Sanders forthcoming, chapter 5, where I argue that *phthonos* is mainly used explicitly in oratory to allege motivation.

17 *Rhetoric* 2.2 1380a2–5: δῆλον δ' ὅτι δέοι ἂν κατασκευάζειν τῷ λόγῳ τοιούτους οἱ οἶοντες ὀργίλως ἔχουσιν, καὶ τοὺς ἐναντίους τούτοις ἐνόχους ὄντας ἐφ' οἷς ὀργίζονται, καὶ τοιούτους οἷς ὀργίζονται ('and it is clear that it might be needful in a speech to put [the audience] in the state of mind of those who are inclined to anger and to show one's opponents as responsible for those things that are the causes of anger and that they are the sort of people against whom anger is directed'; translated by Kennedy 2007, 120).

18 See Harré 1986; Harré and Parrott 1996; Johnson-Laird and Oatley 2000 on the social construction of emotion; Griffiths 1997, 137–167 for a more critical account; Reddy 2001 for the implications of constructionism for the historian of emotions, though he too is critical.

19 Rosenwein 2002 842f.; 2006, 24–26. The approach of this chapter is in line with Rosenwein's methodology, despite not formally adopting it.

20 Rosenwein 2006, 24.

21 Rosenwein 2002, 842.

Spartans, however, might have no emotional reaction to them as sykophants are not relevant to Spartan life.

This sub-community is expected to respond emotionally in certain culturally-specific ways to verbal or theatrical stimuli. We have relatively little information contemporary with these speeches about non-verbal ways in which orators attempted to arouse emotions. However, it is certain that theatrical stimuli were employed as well as verbal. In Aristophanes' comedy *Wasps* (staged in 422 BCE), a regular juror gives a satirical account of defendants' speeches as they try to get off a charge: they flatter; they bewail (*apoklaontai*) their poverty and attribute their misfortunes to it; they quote myths, fables, and jokes to make him laugh; they drag their children out front to bleat (*bléchatai*) in concert, while the defendant himself trembles (*tremôn*) and entreats (*antibolei*) him as a god to approve his accounts, asking him to have pity on hearing his son, or be persuaded by his daughter – this, he says, makes him relax his anger (*orgês*) a little.²²

In this chapter my interest is in verbal stimuli, words that act as 'acoustic signals',²³ or that in other ways manipulate Athenian values by triggering memories based on personal and/or cultural experience. A number of emotions can be aroused in this way, but I concentrate here solely on hostile emotions (anger, hatred, and resentment), aroused against the speaker's opponent.²⁴ I will not exclude passages in which explicit calls for an emotional response occur, but my focus will be on those that prepare the audience to feel the emotion,²⁵ whether an explicit call is subsequently made or not. This will show that it is only with a deep understanding of the cultural construction of an emotion, that we can reach a full understanding of the emotional strategies that might be involved when orators press certain cultural buttons, that may on the face of it have little or nothing to do with emotions. This will have implications far beyond Attic oratory.

In dividing this chapter into separate sections on anger, hatred, and resentment, and considering certain actions or types of person under each, I do not mean to imply that such actions/people will not arouse more than one of these emotions – for instance I do not contend that the *dêmos* will *only* feel anger towards someone committing *hybris*, and *not* feel any hatred or resentment. Rather, I consider each type under the emotion which the ancient evidence suggests will

22 Aristophanes, *Wasps* 562–574. See Plutarch, *Life of Marcellus* 20.5–6 (quoted on p. 162 in this volume), for a later example of an orator using theatrical effects to arouse his audience's emotion. See also Slater 1995; Hall 1995; Wilson 1996.

23 I borrow this phrase from Chaniotis 2009, 200; see also pp. 114 and 229 in this volume.

24 [Aristotle], *Rhetoric to Alexander* discusses hatred, anger, and resentment as the three hostile emotions an orator should aim to arouse against his opponent (34 1440a28–40; 36 1445a12–29), while friendship, gratitude, and pity are those he should aim to arouse for himself (34 1439b15–36, 1440a25–8, 1440a40–b4; 36 1444b35–1445a12). The causes of these emotions vary, as they are the product of socio-cultural conditions. In this chapter, I am concentrating on causes that are specifically connected with Athens in the period 420–322 BCE.

25 In other media, one might compare the *narratio* of decrees, which are syncopated versions of deliberative speeches in the assembly; see Chaniotis 2013.

principally be aroused, as the most logical way to draw out connections between them. It may well be that other hostile emotions are also roused alongside them.²⁶

2 ANGER

Anger (*orgê*) is the most obvious hostile emotion, and one referred to frequently in the oratorical corpus. It is nevertheless a difficult emotion for a speaker to arouse, because it is felt primarily in response to a personal slight.²⁷ Accordingly the speaker has the challenge of persuading his audience that his opponent's private slight against him himself, is equally a slight against the whole city. Unless he can do so, the jury will not themselves feel anger against his opponent.²⁸

2.1 *Hybris*

One slight that clearly arouses anger is *hybris* – a term implying wanton violence, with intention to insult, shame, and dishonour, for the aggressor's pleasure.²⁹ *Hybris* rears its head frequently in the oratorical corpus, the *hybr-* root occurring some 425 times. Nearly a third of these (131) occur in just one speech, Demosthenes' *Against Meidias*, in which Demosthenes prosecutes Meidias ostensibly for a punch the latter gave him while he was acting in his capacity as a *chorêgos* (i.e. performing a public liturgy as chorus producer – see below on liturgies). Demosthenes refers several times to anger the *dêmos* displayed against Meidias in a preliminary censure vote in the assembly, and in a number of places calls for them to feel further anger against Meidias by condemning him now,³⁰ since his crime was committed against the entire city (the prerequisite for an angry response), for instance:

26 We might assume that if an orator wished to arouse hostility against his opponent, he would not balk at more than one such emotion being aroused.

27 Aristotle tells us it is only felt for a slight against oneself or those close to one (*Rhetoric* 2.2 1378a30–32: "Ἐστὼ δὴ ὀργὴ ὀρεξίς μετὰ λύπης τιμωρίας [φαινομένης] διὰ φαινομένην ὀλιγωρίαν εἰς αὐτὸν ἢ <τι> τῶν αὐτοῦ, τοῦ ὀλιγορεῖν μὴ προσήκοντος ('Let anger be [defined as] desire, accompanied by [mental and physical] distress, for apparent retaliation because of an apparent slight that was directed, without justification, against oneself or those near to one'; translated by Kennedy 2007, 116).

28 Rubinstein 2004, 193f. This would not preclude other emotions, e.g. a desire for justice on the speaker's behalf.

29 Aristotle, *Rhetoric* 2.2 1378b23–25, supported in numerous places in the oratorical corpus, some of which I quote below. See also Fisher 1992, 7–21; Cohen 1995, 143–162.

30 Demosthenes 21: Anger already displayed: §§6, 36, 175, 183, 215, 226. Calls for anger: §§34, 42–43, 46, 100, 108, 123, 127, 147, 183, 186, 196, 222. The speeches in the Attic oratorical corpus are traditionally divided into sections. § indicates the section number referred to. Thus e.g. §11.2–4 indicates lines 2–4 (in the Oxford Classical Text, where these exist, else in the Loeb edition) of section 11 of this speech (Demosthenes 21). An alternative notation is Demosthenes 21.11.2–4.

But if he clearly has committed all his crimes of outrage against your chorus producer during a sacred season, he deserves to receive the people's anger and their punishment. For together with Demosthenes, the chorus producer was also the victim of outrage; he is a public official, and this occurred on those days when the laws prohibit it.³¹

Demosthenes argues that at the point Meidias struck him, he was not merely Demosthenes but also a representative of the city. Meidias' blow against him was thus an act of *hybris* against the entire *polis*: it affected each and every citizen personally, and should therefore make each one of them angry.³² In order to call so explicitly (and so frequently) for juror anger, Demosthenes had to demonstrate that Meidias' one act of violence against himself *qua* liturgist, was symptomatic of Meidias' habitually *hybris*-tic behaviour against his fellow citizens³³ – and he spends a good deal of the speech doing so. If Aristotle is right that anger is an emotional response to a personal slight, and if Demosthenes could persuade the jurors they had been slighted, then their anger against Meidias would be a foregone conclusion – allowing him to call for it explicitly so many times.

A more interesting speech for covert arousal is Demosthenes' *Against Konon*. Lene Rubinstein has demonstrated the remarkable extent to which calls for juror anger and/or hatred correlate with public prosecution speeches and are with only a very few exceptions almost entirely absent in private prosecution speeches and public and private defence speeches.³⁴ *Against Konon* deals with two acts of much more severe violence than Meidias' punch, committed by Konon and his sons against Ariston (the speaker) and his slaves. However it is known to have been a private prosecution: Ariston says at the start of the speech that he chose to bring a *dikê aikeias* (a private suit for battery, leading to a fine payable to Ariston) rather than a *graphê hybreôs* (a public suit for *hybris*, leading to the death penalty or a fine payable to the state).³⁵ Bearing in mind Rubinstein's findings, it is therefore especially notable that Ariston goes through almost the entire speech without calling for the judges' anger. He refers to his own anger (*orgê*) and hatred (*echthra*) following the first attack,³⁶ but immediately says that at that point he did

31 Demosthenes 21.34: εἰ δὲ χορηγὸν ὄνθ' ὑμέτερον ἱερομηνίας οὔσης πάνθ' ὅσ' ἠδίκηκεν ὑβρίσας φαίνεται, δημοσίας ὀργῆς καὶ τιμωρίας δίκαιός ἐστι τυγχάνειν· ἅμα γὰρ τῷ Δημοσθένει καὶ ὁ χορηγὸς ὑβρίζετο, τοῦτο δ' ἐστὶ τῆς πόλεως, καὶ τὸ ταύταις ταῖς ἡμέραις, αἷς οὐκ ἐῶσιν οἱ νόμοι (translated by Harris 2008, 99).

32 It is also symptomatic of his contempt for the *dēmos* (a subject I treat separately below), which should also arouse their anger.

33 Athenians believed that the wealthy were prone to behaving in certain ways incompatible with democracy, e.g. ostentatious lifestyle, arrogance, loud boasting, scorn for the democracy, and a propensity to drunken violence – see Dover 1974, 110f.; Fisher 1992, 19–31, 102–104; Ober 1989, 206–211.

34 Rubinstein 2004. She argues that outside public prosecutions, it was much harder for the speaker to justify calls for anger or hatred without risking alienating the jury.

35 See Demosthenes 21.25–8, 54.1, Isocrates 20.19 for comments on penalties and choice of case. For a detailed discussion of *graphê hybreôs* and *dikê aikeias*, see MacDowell 1978, 129–132 and Fisher 1992, 36–85.

36 Demosthenes 54.6.1: τοῦ δὲ πράγματος εἰς τοῦτο προελθόντος, ὡς δεῦρ' ἐπανήλθομεν, ἦν ἡμῖν, οἷον εἰκός, ἐκ τούτων ὀργὴ καὶ ἐχθρὰ πρὸς ἀλλήλους ('The business came to such a

not intend to prosecute, thus ostensibly divorcing his own emotions from the prosecution. Instead, he lets the narrative speak for him: he tells how his slaves were attacked by drunken assailants (Konon's sons) in an army camp, and then he himself was assaulted verbally and physically by them; some time later he was attacked by Konon himself, his son and his friends in the city, and nearly beaten to death. Despite bringing the prosecution for battery, Ariston peppers his speech with references to *hybris*, the word or its cognates occurring twenty-eight times. But it is only at §42 (out of 44), when the idea of *hybris* will have lodged firmly enough in the jury's mind, that the speaker finally asks that they not regard it as a private matter, but feel the same anger and hatred towards his assailant as he does, and punish them accordingly.³⁷

So I ask you, gentlemen of the jury, since I have explained all my legitimate claims and have added an oath to them, that just as each of you, if you are injured, would hate your assailant, that you feel the same anger at this man Conon for my sake; and I ask you not to regard any affair of this sort as a private matter, even if it should happen to another man, but no matter who the victim is, to help him and give him justice and hate those men who before they are accused are brash and reckless but at their trial are wicked, have no shame, and give no thought to opinion or custom or anything else, except for escaping punishment.

A third speech in which *hybris* occurs is Isocrates' *Against Lochites*.³⁸ Again calls for anger (*orgê*) are built up to carefully. The speaker mentions Lochites' striking him, talks at length about those for whom *graphai hybreôs* were instituted, states that Lochites' blow involved *hybris*, then calls for anger and punishment.³⁹ He compares *hybris* with temple robbery and theft as crimes demanding harsh punishment even for small breaches, and refers to the wider social behaviour popularly associated with *hybris* (presumably the sorts of behaviour described in note 33 above) and what it can lead to if unchecked (wounding, homicide, exile

point that when we returned to Athens, we naturally felt anger and hatred for one another over what had happened'; translated Bers 2003 68-9).

37 Demosthenes 54.42: ἀξιῶ τοίνυν ὑμᾶς, ὦ ἄνδρες δικασταί, πάνθ' ὅς' ἐστὶν δίκαι' ἐπιδείξαντος ἐμοῦ καὶ πίστιν προσθέντος ὑμῖν, ὥσπερ ἂν αὐτὸς ἕκαστος παθὼν τὸν πεποιηκότ' ἐμίσει, οὕτως ὑπὲρ ἐμοῦ πρὸς Κόνωνα τουτονὶ τὴν ὀργὴν ἔχειν, καὶ μὴ νομίζειν ἴδιον τῶν τοιούτων μηδὲν ὃ κἂν ἄλλῳ τυχὸν συμβαίη, ἀλλ' ἐφ' ὅτου ποτ' ἂν συμβῇ, βοηθεῖν καὶ τὰ δίκαι' ἀποδιδόναι, καὶ μισεῖν τοὺς πρὸ μὲν τῶν ἀμαρτημάτων θρασεῖς καὶ προπετεῖς, ἐν δὲ τῷ δίκην ὑπέχειν ἀναισχύντους καὶ πονηροὺς καὶ μήτε δόξης μήτ' ἔθους μήτ' ἄλλου μηδενὸς φροντίζοντας πρὸς τὸ μὴ δοῦναι δίκην. Translated by Bers 2003, 79.

38 Mirhady 2000, 123 notes that it is not totally clear whether this was a *graphê hybreôs* or a *dikê aikeias*, and summarises the arguments each way. I believe the argument for it being a private case – that a penalty is payable to the speaker (20.19) – is decisive. Rubinstein 2004, 194 refers to it as a private case, but (bearing in mind her main argument referred to above) must then make a special plea for it to contain calls for anger, on the grounds that it deals with *hybris*, a public concern. When we consider this speech alongside *Against Konon*, we should not be surprised to see the same, probably intentional, confusion of the two charges and types of case.

39 Isocrates 20.6: ὑπὲρ ὧν προσήκει τοῖς ἐλευθέροις μάλιστα' ὀργίζεσθαι καὶ μεγίστης τυγχάνειν τιμωρίας.

etc.), before calling again for anger on the grounds that *hybris* is greater than other crimes.⁴⁰ He says that cities have been destroyed because of *hybris*, and links Lochites' *hybris* against himself with the coups against the democracy⁴¹ – by inference, as with Meidias, the entire city is the victim. He continues, saying that those who commit *hybris* show contempt for the laws;⁴² they want to, and can, band together to take over the city. He highlights that any citizen might suffer *hybris*, and argues that punishing it therefore helps all citizens. After a discussion of the retaliatory, educative, and deterrent aspects of punishment, he again calls for public anger (*orgê*).⁴³ This speech is short, yet the speaker manages to cover economically many of the issues raised at much greater length by Demosthenes, thus showing how a jury's anger might quickly be roused.⁴⁴

2.2 Contempt

Hybris was certainly not the only charge that would arouse public anger, but the speaker's challenge would always have been to persuade the jury that his opponent had slighted them as well as himself. What types of charge might a speaker try to make? Aristotle suggests that, alongside *hybris*, there are two other types of personal slight causing *orgê*: spite (*epêreasmós* – a disinterested slighting), and contempt (*kataphronêsis* – showing you believe the other person to be of no account).⁴⁵ While *epêreasmós* does not occur regularly in the Attic oratorical corpus, there is, however, a minor *topos* whereby speakers argue that their opponents have contempt for the laws, the courts, or the whole city. We saw above, for instance, that this forms part of the accusation in Isocrates' *Against Lochites*;⁴⁶ Lochites' contempt for the laws (which had recently been re-linked to the *dêmos*

40 Isocrates 20.9: 'Ἐγὼ δὲ ὑμᾶς οὕτως ἂν ἀξίως ὀργισθῆναι τοῦ πράγματος, εἰ διεξέλθοιτε πρὸς ὑμᾶς αὐτοὺς ὅσῳ μείζον ἐστὶν τοῦτο τῶν ἄλλων ἀμαρτημάτων.

41 Mirhady 2000, 123 dates the speech to c. 402–400 BCE, shortly after the oligarchic regimes of 411 and 404–403, when the crimes of the juntas would be fresh in jurors' minds. Whitehead and Rubinstein (forthcoming) argue it should be dated a few years later, to the first half of the 390s, but the argument remains valid.

42 Isocrates 20.10, 21, 22 – cf. note 32 above, and § 2.2 below.

43 Isocrates 20.22: παρακαλέσαντες ἀλλήλους ἐνσημανεῖσθε Λοχίτη τὴν ὀργὴν τὴν ὑμετέραν.

44 Whitehead and Rubinstein (forthcoming) argue that we only have the latter part of the speech – this could be because the earlier portion has not survived, or because the speaker only commissioned part of the speech.

45 Aristotle, *Rhetoric* 2.2 1378b14–25. This list is inadequate: for instance, many issues of social misbehaviour that Aristotle would try to file under *to nemesan* (indignation), in other authors will be said to arouse *orgê* (anger) – see Sanders forthcoming, chapter 4 for a critique of Aristotle's *to nemesan*, from the point of view of its overlap with *phthonos*. Aristotle also misses out anger aroused by memory of past events – see Chaniotis 2012 on the repeated instructions to jurors in Lysias 12 that they should remember and be angry, or in Lysias 13 that they should remember and take revenge. On the connection between *kataphronêsis* and anger (or desire for revenge) in non-literary media see Chaniotis 2004, 18 and Chrysi Kotsifou's remarks in this volume (pp. 74f.).

46 See note 42 above.

by the restored democracy's vote to codify the laws) is arguably then contempt for the *dêmos* as a whole.⁴⁷

The 'contempt for the *dêmos*' argument is also used twice by Aeschines, against Timarchos and Ktesiphon.⁴⁸ But it is in the Demosthenic corpus that we regularly find the accusation of contempt for justice, the law, and the sovereign people, which appears in public prosecutions, private prosecutions, and arbitrations.⁴⁹ Meidias is one of those accused of contempt – in his case the word *kataphronêsis* is not used, but two other phrases amount to the same thing: Demosthenes says that if Meidias cannot treat the whole tribe, Council, and nation with contumely (*propêlakizein*), then his life is not worth living; and later, that Meidias does not give two hoots (*mêden phrontizein*) for them.⁵⁰ The first of these words (which literally means to trample in the mud) also occurs widely in the oratorical corpus.⁵¹ The second phrase only occurs a handful of times in surviving forensic speeches, but its occurrence twice in Demosthenes' collection of stock prologues suggests that it might have occurred more regularly than we would assume from its limited survival.⁵²

With no independent confirmation, we may not be able to rely fully on Aristotle that a display of contempt (whether for the laws, justice, performing civic duties, or for the *dêmos* directly) would arouse specifically *anger* in the jury. However, clearly these comments are intended to arouse some kind of hostility or animus against the opponent (*kataphronêsis*, particularly the *kata-* prefix, has derogatory force), and we should therefore realise that accusations of contempt

47 This is a specifically Athenian cultural feature, connected with democracy – it could not occur in e.g. a monarchy (though a petitioner could argue that their opponent had shown contempt for the monarch). The fact that the *dêmos* can respond with anger suggests it is placed in a hierarchically higher position, like a king or a god – see the remarks of Angelos Chaniotis in this volume (pp. 115–118), and my comparison with prayers for justice and petitions below (pp. 383f.). On the personification and cult of *Dêmos* see Alexandri-Tzachou 1986.

48 Aeschines 1.114 and 3.53 – both public prosecutions.

49 Public prosecutions: 26.2 and 25 (contempt for justice); 59.12 and 77 (Neaira scorns your laws). Private prosecutions: 50.65–66 (contempt for performing trierarchies, i.e. outfitting warships, as per the law); 56.10 (contempt for 'you', i.e. the *dêmos*, and the laws). Arbitrations: 42.2; 43.72 and 78 (they committed *hybris* in their contempt for the laws). Again, as with *hybris* (see above § 2.1), we see that covert arousal of anger occurs as easily in private speeches as in public. Due to the regularity with which this argument is made, it is unsurprising to find it in Andocides' *Against Alcibiades* (not a real speech, but a rhetorical exercise – see note 4 above), where the defendant is said to have contempt for the Archons (magistrates), the laws, and the other citizens (4.14).

50 Demosthenes 21.131.8–10: ἀλλ' εἰ μὴ φυλὴν ὅλην καὶ βουλὴν καὶ ἔθνος προπηλακιεῖ ..., ἀβίωτον ᾗτ' ἔσσεθαι τὸν βίον αὐτῷ (cf. §§ 61, 66, 72, 109, 220); 21.201.1–2: ὃς οὖν ... τὸ δὲ μὴδὲν φροντίζειν ὑμῶν νεανικόν.

51 Public prosecutions: Lysias 15.6; Demosthenes 22.62; 23.89; 24.124 (twice); 25.50; [Demosthenes] 59.93, 59.113; Aeschines 3.248. Private prosecutions: Demosthenes 30.36; 36.47; [Demosthenes] 50.45. Defence speeches: Lysias 9.4; Isaeus 2.47; Aeschines 2.44.

52 Lysias. 7.17; Demosthenes 25.39, 42.30; [Demosthenes] 54.42; Demosthenes *Exordia* 12.1, 32.2.

are not merely part of the standard oratorical insulting that can easily be dismissed as ‘noise’ by the modern reader.

3 HATRED

Hatred (*misos*), which for our purposes will include milder forms such as general hostility or dislike, is an easier emotion to arouse than anger, because no personal injury need be proved. Aristotle tells us that, while anger comes from what affects someone personally, hatred can arise both from what affects them personally (for instance anger, spite, or slander directed against them)⁵³ and from what is not directed against them as an individual; that is if we think someone is a certain type of person (typically a type that is harmful to the community as a whole) then we hate them – and Aristotle gives as examples that everyone hates a thief (*kleptês*) or a sykophant (*sykophantês*).⁵⁴

Labelling an opponent a thief or a sykophant is a character (*êthos*) argument rather than, ostensibly, an emotion (*pathos*) one (see §1 above). However, while characterisation of the opponent is an important oratorical tool in its own right, my contention in this section is that additionally certain characters arouse hostile emotions,⁵⁵ thus while arguments may explicitly be directed at the opponent’s character, they also aim covertly to arouse an audience’s hostility towards him. Thieves (or murderers or other such criminals) are common everywhere, as is popular animus against them, and so they do not belong in a book that explores the social construction of specifically ancient Greek emotions.⁵⁶ Sykophants,

53 If Aristotle is correct (and he may not be), this suggests that all situations that principally arouse anger will also arouse hatred – see my comments above on arousal of multiple emotions.

54 *Rhetoric* 2.4.30–31 1382a1–7: *περὶ δ’ ἔχθρας καὶ τοῦ μισεῖν φανερόν ὡς ἐκ τῶν ἐναντίων ἔστι θεωρεῖν. ποιητικὰ δὲ ἔχθρας ὀργή, ἐπιρρεασμός, διαβολή. ὀργὴ μὲν οὖν ἐστὶν ἐκ τῶν πρὸς αὐτόν, ἔχθρα δὲ καὶ ἄνευ τοῦ πρὸς αὐτόν· ἂν γὰρ ὑπολαμβάνωμεν εἶναι τοιόνδε, μισοῦμεν. καὶ ἡ μὲν ὀργὴ ἀεὶ περὶ τὰ καθ’ ἕκαστα, οἷον Καλλία ἢ Σωκράτει, τὸ δὲ μῖσος καὶ πρὸς τὰ γένη· τὸν γὰρ κλέπτην μισεῖ καὶ τὸν συκοφάντην ἅπας* (‘The nature of enmity and hating is evident from the opposites [of what has been said about friendliness]. Anger, spite, and slander are productive of enmity. Now anger comes from things that affect a person directly, but enmity also from what is not directed against himself; for if we suppose someone to be a certain kind of person, we hate him. And anger is always concerned with particulars, directed, for example, at Callias or Socrates, while hate is directed also at types (everyone hates the thief and the sykophant)’; translated by Kennedy 2007, 127). I use the Hellenised spelling sykophant to avoid confusion with the English word sykophant – despite the obvious philological derivation, the Greek sykophant was an entirely different creature (see main text below).

55 We recognise this occurs (rightly or wrongly) in our modern world – e.g. disgust at beggars, dislike of certain races, hatred of paedophiles – and it did no less so in ancient Greece.

56 Anger occupies a smaller part of this chapter than one might expect for a similar reason: many of the crimes that naturally arouse anger (as part of a sense of justice) against the perpetrators are not culturally specific to Athens, or indeed ancient Greece, and so are not relevant to a volume on approaches to the cultural construction of emotion. This does not

however, aroused hostility particularly in Classical Athens (see above), so are ripe for examination here.

3.1 Sykophants

In some types of public suit, Athenian laws allowed anyone who wished (*ho boulomenos*) to prosecute; occasionally the successful prosecutor would even receive a proportion of a fine levied on his convicted opponent, or some other payment.⁵⁷ The sykophant was a busybody who sought to prosecute (frequently innocent) people on a regular basis, possibly in order to receive money from the fine, more likely as a bribe from the opponent to drop the case,⁵⁸ or even for payment to act as another's frontman.⁵⁹ Many speeches in the oratorical corpus contain accusations that the opponent is a sykophant. Sometimes this occurs in prosecution, but the argument lends itself best to defence speeches, where the successful labelling of the prosecutor as a sykophant serves the important and wider strategic purpose of undermining the legitimacy of the prosecution case.

It is well known that sykophants were unpopular,⁶⁰ and the oratorical corpus provides plenty of evidence for commonly held views. Sykophants take bribes, prosecute those who have not committed any crimes to gain money, and are charged as criminals. They are generally poor but clever (*deinos*) at speaking,⁶¹

mean they were irrelevant to the Greeks – see Allen 2000 on the centrality of anger to the punishment of crime.

57 MacDowell 1978, 53–62; Todd 1993, 91–94. Osborne 1985, 44–48 argues that the surviving evidence suggests that prosecution purely for monetary reward was uncommon.

58 MacDowell 1978, 62–66; Harvey 1990; Christ 1998, 48–71 and 2008, 170–174; Rubinstein 2000, 198–204; Fisher 2008, 297–299; for a different view see Osborne 1990. It is hard for us to know if sykophancy was a genuine problem, as allegations are so frequent that one might be tempted to conclude Athenians were seeing ‘reds under the bed’ (though, as in McCarthy-era America, mass hysteria rarely allows the facts to stand in the way of an emotional response). It is almost certainly the case that public alertness to the possibility of sykophancy reduced its frequency, through the constant threat of exposure in the lawcourt or ridicule in the comic theatre: sykophants crop up several times as comic butts in Aristophanes’ comedies (*Acharnians* 818–828, *Birds* 1410–1469, *Ploutos* 850–958).

59 In some cases, receiving less than 20% of the vote would result in the prosecutor being fined 1000 drachmas and losing the right to bring similar cases in future – Carey 2000, 12 notes this effectively disbarred them from future involvement in Athens’ highly litigious public life. In other aspects of political life too, taking a leading role carried risks. Rubinstein 2000, 202–204 argues that politically active citizens might therefore choose to operate through a less politically active friend when initiating legal actions, to protect themselves. Thus in 336 BCE, when Ktesiphon proposed Demosthenes be awarded a crown, Aeschines was forced to prosecute Ktesiphon (Aeschines 3) rather than Demosthenes directly, for making an illegal proposal (on this procedure, the *graphê paranomôn*, see Hansen 1974); Demosthenes spoke on behalf of Ktesiphon (Demosthenes 18) and received more than 80% of the vote, forcing Aeschines, who had not taken the precaution of operating through a frontman, out of public life (and the city – Plutarch, *Demosthenes* 24).

60 On the ‘badness’ of sykophants see Christ 2008, 170–174; Fisher 2008, 297–299.

61 This perhaps suggests a link with sophists – another type of ‘bad person’ arousing hostility (see below). *Deinos* is not a compliment: it means over-clever, cunning, full of verbal tricks.

and regularly prosecute rich men who are poor at speaking. They are all base, malicious, and censorious. *Sykophantia* is linked with injustice, baseness, lies, shamelessness, perjury, ingratitude, and slander.⁶²

These comments, all made in front of a mass audience,⁶³ suggest Athenians disliked sykophants very much indeed, and there is little reason to question Aristotle's suggestion that this dislike was as strong as hatred. It is important for us to bear in mind this hostile emotional response. While, clearly, we would not expect Athenians to react viscerally every time a speaker labelled his opponent a sykophant with little to back it up (which happens with surprising frequency, and should perhaps be taken as part of the standard knock-about of Attic oratory), we have a large number of cases where charges of *sykophantia* are sustained throughout the speech, and we should certainly interpret these as instances of the speaker aiming to arouse the jury's hostility against his opponent.

Building on Lene Rubinstein's argument that it is only public prosecutions that easily lend themselves to explicit attempts to arouse a jury's hatred (see note 34 above), I propose that finding ways to label the opponent as one or other type of undesirable is a more subtle way of awakening a jury's hostility covertly, and is thus suitable for wider use. While repeated labelling of the opponent as a sykophant does occur in public prosecutions, in light of Rubinstein's arguments it is notable that this also occurs frequently in private prosecutions, and as a counter-accusation in public and private defence speeches – in all of which explicit calls for *misos* are uncommon.⁶⁴ For reasons of space I shall discuss only three of these speeches here (none of them public prosecutions).

In Isocrates' *Against Euthynos*, the speaker plays on the idea that sykophants prosecute those who are rich but poor speakers, by arguing at length that, since his opponent is poor but a good speaker, he would not be a logical choice for

62 Take bribes (Andocides 1.105); prosecute for money (Lysias 25.3); criminals (Aeschines 2.272); clever and prosecute rich, bad speakers (Isocrates 21.5); base, malicious, censorious (Demosthenes 18.242); injustice and baseness (Isocrates 18.55); lies, shamelessness, and baseness (Demosthenes 25.9); shamelessness, perjury, and ingratitude (Demosthenes 25.35); slander (Isaeus 11.4, Aeschines 2.145).

63 Isocrates also says that sykophants do not support democracy (8.133), practise bitterness and evil (15.300; cf. 15.242), are hostile (*dysmenês*) to everyone (15.288), were judged by 'our' ancestors as responsible for most evils and are comparable to criminals (15.313), and he also regularly links sykophancy with slander (15.8, 15.175, 15.241; 15.163 also with envy). However these comments are made in tracts that were not intended for a mass audience, so we cannot assume his views were widely shared outside the wealth/education elite, except where corroborated in speeches intended for a mass audience (e.g. the comments linking sykophancy to slander, or the statement that sykophancy was a crime). Similarly, Xenophon, *Memorabilia* 2.9 has an anecdote showing some sykophants attempting blackmail, and being given a taste of their own medicine – this suggests that such blackmail attempts were real, though again as this work was not intended for a mass audience, it can only be taken as evidence for the views of Xenophon and his higher status readership.

64 Public prosecutions: e.g. Lysias 28; Demosthenes 21, 25; [Demosthenes] 58, 59; Aeschines 1, 3. Private prosecutions: e.g. Isocrates 17, 18, 21; Demosthenes 33, 36, 37, 38. Counter-accusation in public defence speeches: e.g. Andocides 1; Demosthenes 18; Aeschines 2. Counter-accusation in private defence speeches: e.g. Demosthenes 29, 55, 57.

someone to prosecute sykophantically.⁶⁵ This in fact anticipates his opponent's expected defence argument, that the prosecution was brought through *sykophantia*. Isocrates' *Against Kallimachos* is also formally a prosecution speech, though in reality it is again a defence: Kallimachos was attempting to prosecute the speaker, who in turn introduced a special plea (*paragraphê*) that Kallimachos' prosecution was inadmissible, as it contravened the terms of the amnesty ending the civil strife of 404–403 BCE between supporters of the oligarchic junta and the restored democracy;⁶⁶ it is this speech that survives. Again the word *sykophantês* occurs a number of times,⁶⁷ many of them simply to label the opponent, others to make derogatory comments about *sykophantia*. In both speeches the accusations are woven into the narrative, and build on themselves throughout the speech.

Finally, Demosthenes' *On the Crown*, delivered when Demosthenes' ally Ktesiphon proposed a crown be bestowed upon him, and his lifelong political enemy Aeschines prosecuted Ktesiphon for making an illegal proposal (see note 59 above). Demosthenes begins by arguing that Aeschines told lies and abusive slanders; he says that Aeschines has bad character, that he spoke abusively, and repeats that he lied and slandered. He adds that the case shows the spite, insult, abuse, and contumely of an enemy, and that Aeschines is acting out of spite and malice.⁶⁸ The *loidor-* root (meaning abuse) appears fifteen times in the speech, *blasphêm-* (slander) eight times, *pseud-/pseus-* (lying) twenty times, and accusations of *diabolê* (also slander) nine times. The *echthr-* root (hatred/enemy) occurs no fewer than forty-six times – and enmity is a reciprocal relationship in Greece.⁶⁹ Further, we find four accusations of *epêreia* (spite) and four of *phthonos* (envy), and *baska(i)n-* (envious/malicious person) appears nine times. Accusations of *sykophantia* fit well into this litany of malicious reasons for Aeschines' prosecution – the word occurs twenty-two times in the speech, of which well over half are direct accusations.⁷⁰ And all these accusations, these claims against Aeschines, are designed to rouse hostile emotions in the jury against him.

65 The word *sykophantês* occurs eight times in this speech (Isocrates 21): §§ 5, 8, 10, 11, 13 (twice), 14, 19.

66 Mirhady 2000, 96. See Wolff 1966 on the *paragraphê* procedure; MacDowell 1978, 214–219 and Todd 1993, 135–139 offer brief discussions in English.

67 Isocrates 18: §§ 2, 3, 7, 10, 14, 22, 24, 37, 43, 55, 64.

68 Demosthenes 18: Lies (§9); abusive slanders (§10); bad character, spoke abusively, lied and slandered (§11); shows spite, insult, abuse, and contumely of an enemy (§12); spite and malice (§13).

69 See Rhodes 1998; Todd 1998.

70 Demosthenes 18: *Loidor-*: §§3, 10, 11, 12, 15, 123 (twice), 126, 138, 180, 256, 274, 284, 285, 290. *Blasphêm-*: §§10, 34, 82, 95, 123, 126, 256, 272. *Pseud-/pseus-*: §§9, 11, 17, 21, 24 (twice), 41, 55 (twice), 57, 95, 126, 136, 141, 142, 150, 225, 291, 294 (twice). *Diabol-/diabal-*: §§7, 11, 14, 20, 24, 28, 111, 225, 293. *Echthr-*: §§5, 12, 15, 16, 35 (twice), 40, 46, 61, 70, 82, 119, 123, 124, 125, 131, 138 (twice), 139, 141, 143, 145, 147, 161, 163, 176, 188, 197, 198, 234 (twice), 236, 257, 265, 277, 278, 279, 283, 286, 293, 294, 295, 302, 307, 309, 315. *Epêreia*: §§12, 13, 138, 320. *Phthonos*: §§13, 121, 279, 303 (excluding those that are not accusations). *Baska(i)n-*: §§108, 119, 132, 139, 189, 242, 252, 307, 317. *Sykophant-*: §§95,

3.2 Sophists

Another type that aroused hostility in Athens was sophists. These, at least in origin, were itinerant teachers, who wandered Greece taking on paying pupils – mainly the sons of the leisured classes.⁷¹ The main sophist movement flourished in the last third of the fifth century BCE. Many of its most famous names gravitated to Athens which, thanks to the revenues of its empire, had a large wealthy/leisured class in this period, who wanted their sons trained (*inter alia*) to address the Assembly. Sophists had a variety of interests, but rhetoric was normally one of the main subjects on their curricula; they were also infamous for allegedly teaching their young pupils to question existing *mores*, including religious ones. The most famous depiction of sophists in literature written for a mass audience does not occur in the oratorical corpus, but in Aristophanes' comedy *Clouds* (dated 423 BCE). In this play, Socrates is lampooned as representative of the sophistic agenda: corrupting the young, not believing in the traditional gods, introducing new divinities,⁷² and teaching his pupils to wield morally wrong arguments so well as to overcome morally right ones.⁷³

Demosthenes provides evidence that sophist was still a highly negative term decades later, saying Aeschines calls others speechwriters and sophists as an act of *hybris* against them, and that Aeschines labels him personally clever (*deinos* – see note 61 above), a sorcerer, and a sophist. Demosthenes turns these labels back on Aeschines, calling him a sophist, and a wicked one at that, a speechwriter, and an enemy of the gods.⁷⁴ Elsewhere, Aeschines calls Demosthenes a rascally sophist who thinks to overturn the laws by phrasery, and also labels Timarchos a sophist, coupling this with laughter and amusement at the *dêmos*' expense.⁷⁵ In each case such labels (coupled with accusations of *sykophantia*, lying, abuse, slander etc. referred to above) were more than mere denigration: they aimed to arouse hostile emotions (dislike or hatred) in the jury against their opponent.

This background explains an extraordinary passage in Demosthenes' *Against Lakritos*. The speaker, who has characterised himself as an ill-educated rustic, bluff but honest,⁷⁶ uses unexpectedly violent language about his opponent, labelling him a rogue, a sophist, and unjust (*adikos*). Sophists, he says, pay cash to Isocrates for education; they feel contempt (*kataphronêsis* – see above) for others, and consider themselves clever (*deinos*); they covet and take away others'

112, 113 (twice), 118, 121, 138, 189, 192, 212 (twice), 232, 233, 235, 239, 242, 249, 256, 266, 275, 289, 317.

71 See Gagarin 2002, 9–36 on the sophist movement.

72 The real-life Socrates was in fact executed on just these charges, according to Plato (*Apology* 24b).

73 See Dover 1968, xxxii–lvii on the association of these charges with the sophist movement, and Aristophanes' choice of Socrates to represent them.

74 Demosthenes 19.246; Demosthenes 18.276 – cf. Demosthenes 29.32 for another juxtaposition of sophists and sorcerers; Demosthenes 19.250.

75 Aeschines 3.16, 3.202; Aeschines 1.125, 1.175.

76 MacDowell 2004, 133; 2009, 265.

property, and are base (*ponêros*). He makes repeated use of derivatives of the verb *paideuein* (implying sophistic education, as taught by Socrates in *Clouds*), *ponêros*, *adikos*, and *deinos*, while repeatedly using the verb *pisteuein* (trust) against him, and contrasting his own simplicity and honesty.⁷⁷ The violence of the language in this passage, and (given the popular animus discussed above) the repeated use of such words and associations, seem calculated to arouse the jury's dislike or hatred for his opponent.

4 RESENTMENT

The author of the *pseudo-Aristotelian Rhetoric to Alexander* argues that when an orator cannot arouse hatred or anger, he should instead attempt to arouse *phthonos*, which he says is very close to hatred.⁷⁸ Emotion labels (and indeed emotions) do not always correspond easily between languages,⁷⁹ and *phthonos* is a good example.⁸⁰ In its usual meanings it covers both English envy (felt when someone else has something I lack, and my impulse is destructive)⁸¹ and possessive jealousy (felt when I have something I want to retain exclusive possession of, and am willing to damage/destroy the object or a rival to do so), and can also have strong overtones of begrudging, spite, or *Schadenfreude*; it is thus a very negative emotion, and in fact so taboo that it is almost never claimed for oneself, but only ascribed to others.⁸²

However, there are occasions when – at least in Athens – it becomes a morally positive emotion, and that is when someone is behaving in some way beyond what is generally thought acceptable: *phthonos* is then deployed to cut them down to size.⁸³ In the handful of instances where an orator enjoins his

77 Demosthenes 35.39–43.

78 [Aristotle], *Rhetoric to Alexander* 1445a15–20.

79 Wierzbicka 1999, 24–38; Cairns 2003, 9–14 and 2008, 45f.; Konstan 2006, 4–8.

80 By contrast with *orgê* and *misos*, which can uncomplicatedly be translated anger and hatred respectively. Note this is not necessarily the case in reverse: I argue below (note 83) that *phthonos* can sometimes (i.e. in certain situations) best be translated into English as anger. This implies that ancient Greek *orgê* included only a subset of situations covered by modern English anger – the two are not direct equivalents. See my discussion of scripts below.

81 Though not when my impulse is emulative or admiring ('Oh what a lovely X, I really envy you'), which is covered by Greek *zêlos*.

82 See Sanders forthcoming, chapter 3 for a detailed exploration of the scope of *phthonos*.

83 Konstan 2003, 80–82. In the *Rhetoric*, Aristotle separates this emotion out as *to nemesan* (usually translated indignation), which he describes as being felt for someone's undeserved good fortune, especially in relation to wealth or power, while *phthonos* is felt only by morally base people and is unrelated to desert (Aristotle, *Rhetoric* 2.9 1386b16–20, 2.9 1386b31–35, 2.11 1388a35–46). At *Nicomachean Ethics* 2.7 1108b1–5, Aristotle argues that *nemesis* (as he calls it there) and *phthonos* are part of a continuum, where *nemesis* is a virtuous 'mean' only felt when someone's good fortune is not deserved, and *phthonos* is the excessive vice whereby *nemesis* is felt far too often (the vice is in being too morally untrained to ascertain deserts properly) – Sanders 2008, 268–270. However, there is no support for this separation in other literature of the period, and it is clear that *to nemesan/nemesis* is Aristotle's

audience to feel *phthonos*, all of which relate to the abuse of wealth or political power,⁸⁴ it is clear that it is the morally-positive, censorious version that is meant.

However, we must bear in mind that where we can distinguish different types of *phthonos*, for Greeks there was only *phthonos*,⁸⁵ and it would always have retained some sense of ambiguity even when used positively – which is possibly why it is called for explicitly so rarely. For this reason I translate it ‘resentment’ here, which gives some sense of the ambiguity between envy and indignation in English. But it should constantly be borne in mind that *phthonos* covers a wider variety of situations and emotional reactions (psychological, verbal, and dramatic) to those situations, that in English might be best covered by any of the terms envy, jealousy, resentment, indignation, or even, in the right circumstances, anger (see note 83 above).

To understand emotions such as *phthonos* effectively, Robert Kaster argues for the use of ‘narrative processes or scripts’ as an analytical tool.⁸⁶ These are essentially different types of scenario in which the emotion occurs, and which play out differently, as regards their cognitive antecedents, psychological/ physiological effects, characteristic speech/action, and resolution.⁸⁷ Scripts may or may not be distinguishable by linguistic labels in the same, or another, language. For instance, English jealousy has four scripts which are distinguishable by English labels: jealous of my position, possessive jealousy, sexual jealousy, and envy. *Phthonos*, as we have seen, comprises several scripts which are not distinguishable by other labels in Classical Greek, including those relating to English envy, possessive jealousy, and indignation/resentment.⁸⁸

reinvention of an emotion term that had by then more or less died out, and been incorporated into the wider scope of *phthonos* – Sanders forthcoming, chapter 4. Konstan 2006, 68f. argues that Aristotle used *nemesan* to cover one type of anger (i.e. a response to an injustice, where *orgê* is a response to a slight); my argument would mean that (outside Aristotle) it is *phthonos* that describes this sort of anger.

84 Sanders forthcoming, chapter 3; this again tallies with what Aristotle says about his *to nemesan* – see note 83 above. The passages are: Lysias 27.11.2; Isocrates 4.184.1, 18.51.3; Isaeus 6.61.2; Demosthenes 21.29.4, 21.196.4, 21.196.6, 37.52.3; Aeschines 3.42.1.

85 Kaster 2005, 7 makes the same point for Latin *fastidium*.

86 Kaster 2005, 8. Cairns 2008, 46 also argues for the use of scripts, citing further scholarship (59 n. 17). Wierzbicka 1999 makes the case for meta-language (instead of English language) scripts, though this has attracted criticism – see e.g. Cairns 2008, 49f. Sanders forthcoming uses a script approach throughout.

87 See pp. 157f.

88 Sanders forthcoming, chapters 2 and 3. On the frequent use of jealousy for envy by laypersons, see Parrott 1991, 24; also Ben-Ze’ev 2000, 281f., who argues that the one-way confusion of envy and jealousy arises because of the frequency of situations in which these emotions co-occur, coupled with the social unacceptability of envy.

4.1 Avoidance of Liturgies

Unlike modern democracies, Athens had no income tax, though there were many types of indirect taxes that fell on all citizens.⁸⁹ However, it also instituted a system whereby the rich (citizens and resident aliens) paid directly for certain expenditures for the military or cultural benefit of the *polis*: e.g. outfitting warships (*triêrarchia*), superintending the exercise halls (*gymnasiarchia*), producing choruses for the tragic/comic festivals (*chorêgia*), and giving public feasts (*hestiasis*).⁹⁰ The benefit for the rich was that, if the system worked properly, they greatly reduced the risk of civil strife with the numerically far greater poor, in which they risked being killed and having their property expropriated.⁹¹ Over time, the traditional competition among the aristocracy found an outlet in competition to render services to the *polis*.⁹² A rhetoric of reciprocity grew up, whereby the rich performed liturgies and the *polis* responded with gratitude (*charis*) – which could be called on if ever they were on trial.⁹³ When wealthy individuals avoided or evaded their duty to perform liturgies, the *dêmos* responded with *phthonos* (resentment).⁹⁴

89 E.g. customs dues, transaction taxes, production taxes, slave tax etc. – see Bresson 2008, 107–115; Migeotte 2009, 49–54.

90 Payment was initially voluntary; it became institutional over time, but some still performed extra liturgies voluntarily – Ober 1989, 199; MacDowell 2009, 127f.; Harris 2008, 15 for a list of liturgies, with references to further bibliography. Some expenditures were allocated on a rota system, others by lot; some were defrayed by a group of moderately rich men, rather than one very rich.

91 Aside from two brief, bloody oligarchic coups in 411 and 404–403 BCE, the Athenian democratic settlement was notably stable for its time. See Thucydides 3.69–85 for a detailed account of civil strife (*stasis*), between the rich (who wanted an oligarchy and alliance with Corinth) and the poor (who wanted a democracy and alliance with Athens), in the Adriatic island *polis* of Kerkyra in 427 BCE. As Thucydides makes clear throughout his account, *stasis* was a problem that bedevilled Greek *poleis* in this period. For a more theoretical account of civil strife and (frequently violent) changes in constitution, see Aristotle, *Politics* 5. For modern studies of *stasis* (excluding Athens), see Gehrke 1985; Ober 1989 for the most in-depth study of ‘mass’ and ‘elite’ relations in Classical Athens; see also Hansen and Nielsen 2004, 124–129.

92 Hence the demagogue and general Alcibiades’ boast to the Assembly in 415 BCE that he had entered no fewer than seven chariots at the Olympic games, and taken first, second, and fourth prizes, and that this splendid display profoundly boosted the public image of Athens (Thucydides 6.16). On aristocratic competition in services to the *dêmos* see Whitehead 1983; Ober 1989, 84f., 291; 1996, 27f.; MacDowell 2009, 128 says they volunteered ‘to gain prestige and honour’.

93 Ober 1989, 226–233; Fisher 2003.

94 Ober 1989, 205f. argues that the attitude of the poor towards the rich was always shaped by *phthonos* (envy), though the evidence for this is questionable, being largely contained in texts written by and for men of higher wealth and status. Fisher 2003 and Cairns 2003, 244–249 argue, more plausibly, that economic differences – and the concomitant potential for the wealthy to avoid burdens that the poor could not avoid – ensured that *phthonos* (envy) was always a latent possibility, ready for exploitation as part of an orator’s strategy. On accusations of *phthonos* (envy) in the oratorical corpus, see Sanders forthcoming, chapter 5.

The connection of *phthonos* (resentment) with under-performance of liturgies is most explicit in Demosthenes' *Against Meidias*. We noted above frequent calls for anger, occurring throughout the speech, which are related to Meidias' *hybris*. Demosthenes then tells us, at some length, of Meidias' manipulation of the laws to have one Straton stripped of his citizenship.⁹⁵ After describing this abuse, which (as it is achieved through malicious prosecution) is akin to *sykophantia*, and reminding them of Meidias' impiety (in striking him on a religious festival), he denounces Meidias as 'abusive and disgusting' and calls for juror hatred.⁹⁶ Finally, having put down a number of markers linking Meidias' wealth to his arrogance (*thrasos*, *hyperêphania*, *hybris*) and other inappropriate behaviour, and making several general comments to the effect that bad behaviour resulting from wealth deserves punishment, he brings Meidias' inappropriate use of his wealth centre-stage in a long section, deriding the small number of liturgies he has performed, and explaining why such liturgies as he has done should not be taken into account.⁹⁷ It is only at this point that Demosthenes finally draws on his earlier allusions to the appropriate response, and calls for the jury's *phthonos* (resentment, at Meidias' lifestyle and conduct), without any trace of pity, to accompany the *misos* and *orgê* that he called for earlier.⁹⁸

Confirmation that inadequate performance of liturgies deserves *phthonos* comes from Demosthenes' two speeches *Against Aphobos*, which he delivered aged eighteen in the prosecution of his guardians (his father died when he was a minor) for misappropriation of his inheritance.⁹⁹ Demosthenes asserts that Aphobos and his co-guardians have acted in such a way that his estate has little left, and asks rhetorically, 'Surely this is worthy of indignation?'.¹⁰⁰ The verb used here, *diaganaktein*, refers to a somewhat milder emotion than *orgê* and *phthonos*. However, Demosthenes then goes on to argue that his inherited estate,

95 Demosthenes 21.83ff.

96 Demosthenes 21.98.3–5: ὅτι νῆ Δί' ἀσελγής ἐστι καὶ βδελυρός· ταῦτα γάρ ἐστι τὰληθῆ· ἀλλὰ μισεῖν ὀφείλετ', ἄνδρες Ἀθηναῖοι, δήπου τοὺς τοιούτους μᾶλλον ἢ σφάζειν ('By Zeus, that he is abusive and disgusting? That is certainly true. But, men of Athens, you surely ought to hate such men, not protect them'; translated by Harris 2008, 121). On all of these charges, the hatred called for relates to the kind of person Meidias is, and thus accords with Aristotle's comments on the nature of hatred (*Rhetoric* 2.4 1382a1–7) discussed above.

97 Wealth linked with arrogance etc.: §§20, 66, 96, 98, 109, 138, 198, 201. Bad behaviour from wealth deserves punishment: §§98, 124, 143. Inappropriate use of wealth: §§151–174.

98 Demosthenes 21.196.4–6: φθόνον ἐξ ὧν ζῆς, καὶ ἐφ' οἷς ἐξαπατᾶς ἔλεον. οὐκ ἔστιν οὐδαμῶθεν σοι προσήκων ἔλεος οὐδὲ καθ' ἓν, ἀλλὰ τοῦναντίον μῖσος καὶ φθόνος καὶ ὀργή. From all we have seen about the cultural implications of these emotion words, we can now interpret this call as: 'He has shown himself deserving of your enmity (so hate him), he has committed injustices through his wealth (so resent him), and he has injured each and every one of you personally (so be angry at him)'.

99 Demosthenes 27 and 28. Under Athenian inheritance law, the guardians of an orphaned minor administered the deceased father's estate as if it were part of their own, and then passed it on (ideally suitably enhanced in value) to the son when he came of age. Demosthenes' guardians, including Aphobos, claimed that there was little left (Demosthenes 27.6).

100 Demosthenes 27.63.4–5: πῶς οὐκ ἄξιον διαγανακτεῖν;

which used to perform lots of expensive liturgies, can no longer perform even small ones: Aphobos and his co-guardians have hidden the will, used the profits to defray the expenses of their own estates, and appropriated the capital to enhance their own.¹⁰¹ What emotion is appropriate? By comparison with *Against Meidias*, we would expect him to be covertly manipulating the jury's *phthonos* (resentment). Demosthenes does not call for it explicitly here, but in his second speech in the trial (see note 8 above) he does: 'Which of you', he asks, 'would not be justly resentful at Aphobos...?'.¹⁰² Very similar arguments to those in Demosthenes' *Against Aphobos* speeches are made in Isaeus' *On the Estate of Dikaio- genes*,¹⁰³ another inheritance dispute, and one can assume the same emotion is being aroused. More explicitly, in Isaeus' *On the Estate of Philoktemon*, the speaker says his friends (on whose behalf he is speaking) have performed lots of liturgies while their opponents have not, so 'you should resent them not us'.¹⁰⁴

A corollary of talking about one's opponent's avoidance of liturgies to arouse *phthonos* for them, is that if a speaker refers to his own liturgies at length, he might be trying to defuse jurors' *phthonos* against him, whether called for explicitly by his opponent or not.¹⁰⁵ In Demosthenes' *For Phormion*, the speaker criticises his opponent Apollodoros, saying that he will claim he has performed many liturgies and then been treated shamefully; however, in reality, the liturgies were performed on Apollodoros' behalf by his guardians during his minority, and since then Apollodoros has spent barely a fraction of the income, let alone the capital, on the city; instead he has shamefully and ignobly squandered his inheritance.¹⁰⁶ Paraphrasing the emotions aroused and suppressed: Apollodoros is trying to awaken gratitude by talking of his many liturgies; the speaker, however, argues that gratitude is not due – and by inference *phthonos* (resentment) is –

101 Demosthenes 27.64.

102 Demosthenes 28.18.2–3: τίς δ' οὐκ ἂν ὑμῶν τούτῳ μὲν φθονήσειε δικάίως ...; see §1 above on follow-up speeches. The juxtaposition of just and *phthonos* confirm it is the censuring type (resentment, indignation, even anger) that is meant.

103 Isaeus 5.34–45.

104 Isaeus 6.61.1–3: ὥστ' οὐ φθονεῖσθαί εἰσιν ἄξιοι, ἀλλὰ πολὺ μᾶλλον, νῆ τὸν Δία καὶ τὸν Ἀπόλλω, οὗτοι, εἰ λήψονται ἅ μὴ προσήκει αὐτοῖς.

105 And might simultaneously be trying to arouse their gratitude, or indeed other favourable emotions. For instance, at Demosthenes 25.76.5–6 the speaker says his opponent might talk about his liturgies to arouse, not gratitude, but pity (*eleos*) and goodwill (*philanthrōpia*). However, this particular opponent has not performed any liturgies (25.77–78), so (says the speaker) these emotions should not be felt for him; we might instead read a covert attempt to arouse *phthonos*.

106 Demosthenes 36.39–41: ἀλλὰ νῆ Δία ταῦθ' ἡ πόλις εἴληφεν, καὶ δεινὰ πέπονθας πολλὰ καταλελητουργηκώς. ἀλλ' ἃ μὲν ἐκ κοινῶν ἐλητούργεις τῶν χρημάτων, σὺ καὶ ἀδελφὸς ἀνηλώσατε· ἃ δ' ὕστερον, οὐκ ἔστιν ἄξια μὴ ὅτι δυοῖν ταλάντοις προσόδου, ἀλλ' οὐδ' εἴκοσι μνῶν. μηδὲν οὖν τὴν πόλιν αἰτιῶ, μηδ' ἃ σὺ τῶν ὄντων αἰσχροῦς καὶ κακῶς ἀνήλωκας, ὡς ἡ πόλις εἴληφεν, λέγε. ἴνα δ' εἰδῇτ', ὃ ἄνδρες Ἀθηναῖοι, τό τε πλῆθος τῶν χρημάτων ὧν εἴληφε, καὶ τὰς λητουργίας ἃς λελητούργηκεν, ἀναγνώσεται ὑμῖν καθ' ἐν ἑκάστον. ... Τοσαῦτα μὲν τοίνυν χρήματ' εἴληφώς καὶ χρέα πολλῶν ταλάντων ἔχων ..., καὶ τοσαῦτ' ἀνηλωκώς ὅς' ὑμεῖς ἠκούσατε, οὐδὲ πολλοστὸν μέρος τῶν προσόδων, μὴ ὅτι τῶν ἀρχαίων, εἰς τὰς λητουργίας, ὅμως ἀλαζονεύσεται καὶ τριηραρχίας ἐρεῖ καὶ χορηγίας.

since Apollodoros has not been making the liturgies he should have. A further indication that *phthonos* is being covertly aroused is Demosthenes' statement that Apollodoros squandered the assets he received from his father's estate, as Lysias testifies that *phthonos* is the emotion felt towards those squandering their patrimonies.¹⁰⁷

4.2 Embezzlement and Bribe-taking

There was a widespread perception in democratic Athens that those who were politically active (in the Assembly and/or the lawcourts, or filling magistracies) did rather well out of the system.¹⁰⁸ Some genuine rewards were available to them (voted honours and immunities from certain expenditures, free dining at public expense etc. – though most of these were very rare); but still they were seen to make money in all sorts of underhand ways, including bribery (by foreign allies, or to avoid malicious prosecution), corruption (i.e. kick-backs), and embezzlement.¹⁰⁹ This prevailing assumption is underlined by the mid-fifth century demagogue Perikles' pointed commendation of himself to the *dēmos* as incorruptible.¹¹⁰ Hyperides suggests that it was both expected and acceptable for public figures and generals to make significant personal profits, provided the money was used in the interests of Athens rather than against them,¹¹¹ but this cannot have been the generally accepted view. Rather we might look to Demosthenes once again, who in his early political career castigates more established public figures: he says some have gone from being beggars to being wealthy,¹¹² and have become eminent from obscurity, some of their private houses are grander than public buildings, and their personal fortunes have risen as much as the city's have fallen.¹¹³ Demosthenes alludes to wholesale embezzlement by

107 Lysias 27.11.1–2: καίτοι ἑτέροις ὑμεῖς ἔστιν ὅτε τὰ πατρῶα κεκτημένοις ταῦτα ποιοῦσιν ἐφθονεῖτε. Ironically, Lysias is talking about people spending their patrimonies on the city, but he refers to a time in the past (Lysias' speech is in any case set some 40 years earlier – Todd 2000, 282; MacDowell 2004, 152), and the implication is that in those times, rich citizens spending money on the city were bribing the *dēmos* for their support. In fact, squandering one's inheritance was a crime in Athens, punishable by *atimia* (loss of many citizen rights) – see Hansen 1976, 55–82 on the crimes for which *atimia* is imposed.

108 Sinclair 1988, 179; Carey 1994, 73.

109 Harvey 1985, 89–102; Sinclair 1988, 176–186.

110 Thucydides 2.60.5.3–4: φιλόπολιν τε καὶ χρημάτων κρείσσων – see Hornblower 1991, 333f. Harvey 1985, 98 notes that only four Athenian public figures are so described in literary sources, three of them from the mid-fifth century.

111 Hyperides 5.25.1–5: ὅπερ γὰρ καὶ ἐν τῷ δήμῳ εἶπον, πολλὰ ὑμεῖς ὦ ἄνδρες δικασταὶ δίδοτε ἐκόντες τοῖς στρατηγοῖς καὶ τοῖς ῥήτορσιν ὠφελείσθαι, οὐ τῶν νόμων αὐτοῖς δεδωκότων τοῦτο ποιεῖν, ἀλλὰ τῆς ὑμετέρας πραότητος καὶ φιλανθρωπίας, ἐν μόνον παραφυλάττοντες, ὅπως δι' ὑμᾶς καὶ μὴ καθ' ὑμῶν ἔσται τὸ λαμβανόμενον.

112 Compare 'from poverty to wealth' (note 117 below).

113 Demosthenes 3.29.5–9: ἀποβλέψατε δὴ πρὸς τοὺς ταῦτα πολιτευομένους, ὧν οἱ μὲν ἐκ πτωχῶν πλούσιοι γεγόνασιν, οἱ δ' ἐξ ἀδόξων ἐντιμοί, ἔνιοι δὲ τὰς ἰδίας οἰκίας τῶν δημοσίων οἰκοδομημάτων σεμνοτέρας εἰσὶ κατεσκευασμένοι, ὅσῳ δὲ τὰ τῆς πόλεως ἐλάττω γέγονεν, τοσοῦτ' αὖ τὰ τούτων ἡϋξήται.

those who are politically active, made even clearer when he goes on to say that, when politicians spend public money, the *dêmos* are grateful for them spending their (the *dêmos*’) own possessions.¹¹⁴ These accusations will play to a range of hostile emotions: e.g. embezzlement is normally described as *klopê* (theft) in Greek, and in several speeches this is associated with explicit calls for *orgê*.¹¹⁵ Although we do not find explicit exhortations to *phthonos*, I contend that this is because *phthonos* generally had such negative connotations (i.e. envy, jealousy) that it was much harder to play with explicitly than *orgê* – hence why there are only nine explicit calls for *phthonos* in the corpus (see note 84 above). Nevertheless, it should be clear from the previous sections that accusations of elites abusing their positions with respect to money and political power, will at least potentially play to a *phthonos* agenda – and I believe this allows some speakers to arouse *phthonos* covertly alongside *orgê*.

Close examination of several speeches about embezzlement and bribe-taking suggest this does indeed happen. In Lysias’ *Against Ergokles*, the speaker begins by listing a number of offences Ergokles has committed, and calls for *orgê*.¹¹⁶ However, he focuses on just one of the charges: that Ergokles has become wealthy from poverty at ‘your’ (i.e. the *dêmos*’) expense,¹¹⁷ the latter phrase making clear who the rightful owners of the money are. The speaker states that Ergokles and his colleagues used to be poor and in need, but now have swiftly accumulated the largest property of all the citizens.¹¹⁸ He continues to contrast the impoverished jurors with his enriched opponent: the jurors are weighed down by the war tax (*eisphora*), so should not forgive embezzlers and bribe-takers; jurors would be rendered poor because of the *eisphora*, while Ergokles and his cronies became the most wealthy citizens; as soon as they had taken their fill of and enjoyed the *dêmos*’ possessions, they thought themselves apart from the city; now Ergokles and his cronies are rich and hate the *dêmos*, they want to rule over it and, fearing

114 Demosthenes 3.31.2–7: ὑμεῖς δ’ ὁ δῆμος ... τῶν ὑμετέρων αὐτῶν χάριν προσοφείλετε.

115 Lysias 27, 28, 29, 30; Dinarchus 1, 2 – some of which are discussed below. A notable counter-example is Demosthenes 24, which has extensive discussion of theft and a number of calls for *orgê*, but never connects the two. Aristotle connects theft with *misos* (see above), but this only finds support in the oratorical corpus in Dinarchus 2.

116 Lysias 28.2.5–6: ὑμέτερον τοίνυν ἔργον ἐστίν, ᾧ ἄνδρες Ἀθηναῖοι, ἐπὶ τοῖς τοιοῦτοις ὀργίζεσθαι.

117 Lysias 28.1.6–7: καὶ ἐκ πένητος ἐκ τῶν ὑμετέρων πλούσιος γεγεννημένος. The phrase ‘wealthy from poverty’ (*plousios ek penêtôn*, or similar) appears a number of times in the oratorical corpus (Isocrates 5.89.7, 8.124.7; Lysias 1.4.6, 25.27.1, 25.30.4, 27.9.6, 28.1.6; Demosthenes 24.124.7, 57.45.10), and, as Aristotle notes in his description of *to nemesan*, while those who have been wealthy for a long time seem to be so justly, those lately wealthy do not (Aristotle, *Rhetoric* 2.9 1387a24–26: αἴτιον δ’ ὅτι οἱ μὲν [ἀρχαιοπλουτοὶ] δοκοῦσι τὰ αὐτῶν ἔχειν οἱ δ’ [νεόπλουτοι] οὐ· τὸ γὰρ ἀεὶ οὕτω φαινόμενον ἔχειν ἀληθὲς δοκεῖ, ὥστε οἱ ἕτεροι οὐ τὰ αὐτῶν ἔχειν). ‘Correcting’ Aristotle’s *to nemesan* (see note 83 above), we should read this phrase as aiming to arouse *phthonos* covertly.

118 Lysias 28.2.3–5: τούτους δὲ πένητας καὶ ἀπόρους ἐκπλεύσαντας οὕτως ταχέως πλείστην τῶν πολιτῶν οὐσίαν κεκτημένους;

to lose what they have embezzled, they want to turn Athens into an oligarchy.¹¹⁹ This last charge, only a few years after the two bloody coups referred to earlier,¹²⁰ aims at arousing far more than *phthonos* – fear, anger, and hatred are at least as likely. But the repeated ‘acoustic signal’ of ‘we’re poor, they’re rich; we’re poor, they’re rich’ should make it clear that *phthonos* is one of the emotions covertly being aroused throughout this passage.

Similar themes can be found in Lysias’ follow-up prosecution *Against Philokrates*. Ergokles was convicted and executed,¹²¹ but since no money was found, the prosecutor alleges that he must have deposited it with the man he was closest to, Philokrates, who must now be convicted similarly for the money to be recouped. The speaker calls Philokrates one of those who possess the city’s property, and says that on conviction he would not be losing any of his own property, rather he would be giving the *dēmos*’ back to them; after a couple more references to the *dēmos*’ property, he says Philokrates was an accomplice of Ergokles in stealing their property, and they should grant no amnesty to those who steal their property;¹²² finally, he concludes that if they are wise, they will take back their property.¹²³ The constant focus on the wrongful possession of ‘your property’ (the *dēmos* is addressed throughout in the second person) is striking, and seems calculated to arouse the jurors’ *phthonos*.¹²³

One final speech I would like to draw attention to is Lysias’ *On a Charge of Accepting Bribes*.¹²⁴ The speaker dwells at great length on his lavish expenditure on liturgies and his other services to the city. He then pleads that he not be

119 Lysias 28.3.1–3: καὶ γὰρ δὴ δεινὸν ἂν εἴη, εἰ νῦν μὲν οὕτως αὐτοὶ πιεζόμενοι ταῖς εἰσφοραῖς συγγνώμην τοῖς κλέπτουσι καὶ τοῖς δωροδοκοῦσιν ἔχοιτε. 28.4.5–7: καὶ ὑμᾶς μὲν διὰ τὰς εἰσφοράς πενεστέρους ἀποδείξειν, Ἐργοκλέα δὲ καὶ τοὺς κόλακας τοὺς αὐτοῦ πλουσιωτάτους τῶν πολιτῶν ποιήσειν. 28.6.4–6: ἐπειδὴ τάχιστα ἐνέπληντο καὶ τῶν ὑμετέρων ἀπέλαυσαν, ἀλλοτρίους τῆς πόλεως αὐτοὺς ἡγήσαντο. 28.7.2–5: ἅμα γὰρ πλουτοῦσι καὶ ὑμᾶς μισοῦσι, καὶ οὐκέτι ὥς ἀρξόμενοι παρασκευάζονται ἀλλ’ ὥς ὑμῶν ἄρξοντες, καὶ δεδιότες ὑπὲρ ὧν ὑφῆρηνται ἔτοιμοί εἰσι καὶ χωρία καταλαμβάνειν καὶ ὀλιγαρχίαν καθιστάναι.

120 See note 91 above. Usher 1999, 99 notes this passage plays to the ‘tensions of those times’.

121 Lysias 29.2.

122 Lysias 29.8.3: τοὺς τὰ τῆς πόλεως ἔχοντας. 29.8.4–5: οὐδὲν γὰρ τῶν αὐτοῦ καταθήσει, ἀλλὰ τὰ ὑμέτερα αὐτῶν ὑμῖν ἀποδώσει. 29.9.3–4: τοὺς δὲ τὰ ὑμέτερα αὐτῶν ἔχοντας. 29.10.1: τὰ ὑμέτερα ἔχοντες. 29.11.5–6: οὗτος δὲ τὰ τῆς πόλεως Ἐργοκλεῖ συνειδῶς κλέπτonti. 29.13.5–6: καὶ μηδεμίαν αὐτοῖς ἄδειαν δώσετε τὰ ὑμέτερα αὐτῶν διαρπάζουσι καὶ κλέπτουσιν. 29.14.3–4: ἐὰν οὖν σωφρονῆτε, τὰ ὑμέτερ’ αὐτῶν κομειῖσθε.

123 Many of the same themes that appear in Lysias 28 and 29 appear also in Lysias 27, *Against Epikrates*, including the phrases ‘they are stealing your property’ (27.6.1–2: νῦν δ’ ἀσφαλῶς αὐτοῖς ἔχει τὰ ὑμέτερα κλέπτειν) and ‘they have become wealthy from poverty out of your property’ (27.9.5–7: οὗτοι μὲν γὰρ ἐν τῷ πολέμῳ ἐκ πενήτων πλούσιοι γέγονασιν ἐκ τῶν ὑμετέρων, ὑμεῖς δὲ διὰ τούτους πένητες) – see Usher 1999, 98f.; Todd 2000, 282.

124 Todd 2000, 228f. contends that the title of the speech may be misleading, and given various comments about being in possession of the city’s money it could be embezzlement that is the actual charge. It may be true that other charges are involved – however the speaker does beg not to be convicted of bribery (Lysias 21.21.4–5: ἐγὼ δ’ ὑμῶν δέομαι καὶ ἱκετεύω καὶ ἀντιβολῶ μὴ καταγνῶναι δωροδοκίαν ἐμοῦ).

deprived of ‘my own’ property (contrast the repeated insistence on ‘your’ property in the two speeches just discussed), as the vast amounts he has spent on the city should win him gratitude.¹²⁵ Finally, he points out the sheer unlikelihood that someone who spends so much of his own money to the benefit of his city would then take bribes to harm it.¹²⁶ This line of argument directly links the two issues we have been considering. The speaker recognises that the *dêmos* may feel *phthonos* for his supposed bribe-taking and/or embezzlement (see note 124 above; i.e. possessing the *dêmos*’ money), and he cleverly draws a parallel to *phthonos* at liturgy avoidance (i.e. not spending money on the *dêmos*). By conflating these two issues, the speaker effectively attempts to defuse *phthonos* for one type of action by showing *phthonos* for another type not to be deserved. And he even makes this explicit: ‘you should pity me for being poor’, he says, ‘rather than feel resentment (*phthonos*) for me for being rich’.¹²⁷

5 SHARED CULTURAL VALUES AND AROUSAL OF EMOTIONS

It is clear that there are a number of ways to arouse hostile emotions in a jury beyond explicit exhortation. Aside from crimes such as theft or murder, which might be expected to arouse hostile feelings anywhere, there are a good many that have culturally specific implications in the Classical Athenian democracy. I have explored a number of these at length, and there will be many others, both for hostile emotions and for other emotions such as pity, gratitude, friendship etc. The examples I have chosen have demonstrated a variety of ways in which the historian can determine the expected emotional response to a cultural stimulus. The most obviously useful evidence is explicit linkage in similar texts – here explicit statements in Attic forensic speeches that, e.g. someone has committed *hybris* and they deserve *orgê* in response, or that they have avoided their liturgical obligations and so deserve *phthonos*. However, even when such direct evidence does not exist, or is limited, it can be supplemented by evidence in other types of text, especially when their complementarity can be demonstrated. In the case of Attic oratory, the value system is that of the Athenian (mass) *dêmos*, and accordingly source evidence of similar standing was best provided by comedy (for

125 Lysias 21.12; cf. 21.17, 21.25.

126 Lysias 21.22.

127 Lysias 21.15.3–4: καὶ πένητα γεγόμενον ἐλεῆσαι μᾶλλον ἢ πλουτοῦντι φθονῆσαι. This provides some assurance that the emotional response to bribe-taking (and embezzlement) indeed is – or at the very least includes – *phthonos*. The speaker also suggests that were he to need them to, he’d expect the *dêmos* to plead on his behalf, in the way he would do for his friends (§17; i.e. he claims friendship with the *dêmos*). This is interesting, alongside his pleas for gratitude and pity, in the light of [Aristotle], *Rhetoric to Alexander*’s advice that an orator should try to arouse his audience’s gratitude, pity, and friendship – see note 24 above. We can also note that Aristotle, *Rhetoric* 2.9 1387a3–5, 2.10 1388a27–30 argues that when one feels *phthonos* for someone one cannot feel pity for them, so the very fact that the speaker asks for pity suggests that he believes he has successfully dispelled the jurors’ *phthonos*.

instance on sykophants and sophists) – another literary genre performed before the full *dêmos*, and having to work within its values. I have also used evidence (e.g. Aristotle on contempt and *orgê*, or pseudo-Aristotle on *phthonos* as an alternative hostile emotion to *orgê* and *misos*) from philosophers who analysed the oratorical corpus, despite their more limited audience, providing there was supporting evidence within other mass-audience literature – primarily within the oratorical corpus itself. This methodological approach has allowed me to determine, with a high degree of assurance, that certain acts and types of character really did arouse specific (and perhaps more generalised) hostile emotions. Accordingly they could be used to persuade a judge – in the case of Attic oratory, a number of judges – by arousing his/their emotions, thus affecting his/their judgment.

That there are a great many ways to arouse a judge's hostile emotions against an opponent, is important for an understanding of Attic oratory and the culture of the city in the democratic period. Of wider significance, though, is the conclusion that by identifying and playing on certain jointly-held cultural values, any suppliant can covertly influence a judge to take his or her part against an opponent – whether by arousing hostile emotions against the opponent (as I have concentrated on in this chapter), or by arousing friendly emotions towards him/herself.

In Attic oratory, speakers address large audiences of their equals, though (as I suggest in note 47 above) the *dêmos* is placed in a hierarchically higher position than the prosecutor and defendant for the duration of the trial. Moving away from literary sources, we find other examples of addresses to those hierarchically superior, which seek to arouse emotions by appealing to common values, in order to influence their judgment against someone: inscribed prayers to a god for justice, for instance (see pp. 235–266 in this volume), or petitions written on papyri to Hellenistic (fourth-to first-century BCE) kings and their senior subordinates (see pp. 54f. and 57f.). There are a vast number of the latter, and many both show emotion and seek to arouse emotion in the person petitioned, for instance:

To King Ptolemy greeting from Herakleides. ... As I was passing by her house an Egyptian woman, whose name is said to be Psenobastis, leaned out of a window and emptied a chamber pot of urine over my clothes, so that I was completely drenched. When I angrily reproached her, she hurled abuse at me. When I responded in kind, Psenobastis in her own right hand pulled the fold of my cloak in which I was wrapped, tore it and ripped it off me, so that my chest was laid quite bare. She also spat in my face, in the presence of several people whom I called to witness. The acts that I charge her with committing are: resorting to violence against me and being the one to start the fracas by laying her hands on me unlawfully.... I therefore beg you, O king, if it please you, not to ignore my being thus, for no reason, manhandled by an Egyptian woman, whereas I am a Greek and a visitor, but to order ... Psenobastis ... to be questioned on my complaint and to suffer, if what I say here is true, the punishment (*zêmia*) that the strategos decrees.¹²⁸

To King Ptolemy, greeting from Philista daughter of Lysias. ... I am wronged by Petechon. For as I was washing myself in the bathhouse ..., and had stepped out to soap myself, he

128 *P. Enteux*. 79. Trans. Lewis 1986, 61. We can note the similarity of the charges made here against Psenobastis and some of those in Demosthenes 54 against Konon.

being bath-man in the women's rotunda and having brought in the jugs of hot water, emptied one over me and scalded my belly and my left thigh down to the knee, so that my life was in danger. ... I beg you, therefore, O king, if it please you, as a suppliant who has sought your protection, not to suffer me, who am a working woman, to be thus lawlessly treated, but to order Diophanes ... to bring Petechon before him in order ... [that] I may obtain justice (*dikaïos*).¹²⁹

To Zenon, greeting. ... You know that you left me in Syria with Krotos and I did everything that was ordered with respect to the camels and was blameless towards you. When you sent an order to give me pay, he gave nothing of what you ordered. When I asked repeatedly that he give me what you ordered and Krotos gave me nothing, but kept telling me to remove myself, I held out for a long time waiting for you; but when I was in the want of necessities and could not get anything anywhere, I was compelled to run away into Syria so that I might not perish of hunger. So I wrote you that you might know that Krotos was the cause of it. When you sent me again to Philadelphia to Jason, although I do everything that is ordered, for nine months now he gives me nothing of what you ordered me to have, neither oil nor grain, except at two-month periods when he also pays the clothing allowance. And I am toiling away both summer and winter. And he orders me to accept sour wine for my ration. Well, they have treated me with scorn because I am a barbarian. I beg you therefore, if it seems good to you, to give them orders that I am to obtain what is owing and that in future they pay me in full, in order that I may not perish of hunger because I do not know how to speak Greek.¹³⁰

In the first of the above petitions, we find a Greek man petitioning a Greek, that he might punish an Egyptian. He lays stress both on his own Greekness and the Egyptian's non-Greekness, as well as describing in detail the barbarous way she has behaved towards him (including violence and other humiliating behaviour). The tone of the petition is outraged, and the writer clearly expects the king to share that outrage – and he demands 'punishment'.¹³¹ The second petition is less straightforward, but again we have a Greek wronged by a barbarian, petitioning another Greek. Again the tone is outraged, and again the petitioner dwells on the 'lawless' behaviour (she ignores the fact that it was an accident, and pretends it was intentional violent behaviour), and demands 'justice'. The contrast with the third petition is marked. Here a barbarian petitions a Greek about the behaviour of another Greek. There will be no shared Greek hostility toward barbarians to play to, and the Greek's actions are accordingly not presented as outrageous, but as unjust. The tone throughout is one of suffering, and the petitioner's clear intention is to arouse not anger, but pity. It is, once again, such attention to shared cultural values that allows us to interpret the emotions these petitions aim to arouse.¹³²

129 *P. Enteux*. 82 (translated by Bagnall and Derow 2004, 234 no. 140).

130 *P. Col. Zen.* I 66 (translated by Bagnall and Derow 2004, 230–232 no. 137).

131 Rubinstein 2004 shows that explicit attempts to rouse anger go hand in hand with demands for punishment (*kolaz-/ zêmi-/ timôr-*) in Attic oratory. See also Allen 2000.

132 See Chaniotis 2005 for an instance where petitioners mistake their audience's values.

BIBLIOGRAPHY

- Alexandri-Tzachou, O. (1986) *Dêmos, Lexicon Iconographicum Mythologiae Classicae* vol. 3, Zurich/Munich, 375–382.
- Allen, D. S. (2000) *The World of Prometheus: the Politics of Punishing in Democratic Athens*, Princeton/Oxford.
- Bagnall, R. S. and P. Derow (eds.) (2004) *The Hellenistic Period: Historical Sources in Translation*, Oxford.
- Ben-Ze'ev, A. (2000) *The Subtlety of Emotions*, Cambridge, MA/London.
- Bers, V. (2003) *Demosthenes, Speeches 50-59*, Austin.
- (2009) *Genos Dikanikon: Amateur and Professional Speech in the Courtrooms of Classical Athens*, Cambridge, Ma./London.
- Bresson, A. (2008) *L'économie de la Grèce des cites: I. Les structures et la production*, Paris.
- Cairns, D. L. (2003) The Politics of Envy: Envy and Equality in Ancient Greece, in D. Konstan and N. K. Rutter (eds.), *Envy, Spite and Jealousy: the Rivalrous Emotions in Ancient Greece*, Edinburgh, 235–252.
- (2008) Look Both Ways: Studying Emotion in Ancient Greek, *Critical Quarterly* 50, 43–63.
- Carey, C. (1989) *Lysias: Selected Speeches*, Cambridge.
- (1994) Comic Ridicule and Democracy, in R. Osborne and S. Hornblower (eds.), *Ritual, Finance, Politics: Athenian Democratic Accounts Presented to David Lewis*, Oxford, 69–83.
- (2000) *Aeschines*, Austin.
- (2004) Offence and Procedure in Athenian Law, in E. M. Harris and L. Rubinstein (eds.), *The Law and the Courts in Ancient Greece*, London, 111–136.
- Chaniotis, A. (2004) Under the Watchful Eyes of the Gods: Aspects of Divine Justice in Hellenistic and Roman Asia Minor, in S. Colvin (ed.), *The Greco-Roman East: Politics, Culture, Society*, Cambridge, 1–43.
- (2005) Ein missverstandenes Ritual der griechischen Diplomatie: Geschichte als Argument, in C. Ambos et al. (eds.), *Die Welt der Rituale: von der Antike bis heute*, Darmstadt, 106–109.
- (2009) Acclamations as a Form of Religious Communication, in H. Cancik and J. Rüpke (eds.), *Die Religion des Imperium Romanum: Koine und Konfrontationen*, Tübingen, 199–218.
- (2012) Normen stärker als Emotionen? Der kulturhistorische Kontext der griechischen Amnestie, in K. Harter-Uibopuu and F. Mitthof (eds.), *Vergeben und Vergessen? Amnestie in der Antike. Akten des ersten Wiener Kolloquiums zur Antiken Rechtsgeschichte*, Wien, 27.-28.10.2008, Vienna (forthcoming).
- (2013) Theatricality, Emotion, *Enargeia*: Hellenistic Decrees and Hellenistic Oratory, in C. Kremmydas and K. Tempest (eds.), *Continuity and Change: Oratory in the Hellenistic Period*, Oxford (forthcoming).
- Chiron, P. (2002) *Rhétorique à Alexandre*, Paris.
- Christ, M. R. (1998) *The Litigious Athenian*, Baltimore.
- (2008) Imagining Bad Citizenship in Classical Athens: Aristophanes' *Ecclesiazusae* 730–876, in I. Sluiter and R. M. Rosen (eds.), *KAKOS: Badness and Anti-Value in Classical Antiquity*, Leiden/Boston, 169–183.
- Cohen, D. (1995) *Law, Violence and Community in Classical Athens*, Cambridge.
- Dover, K. J. (1968) *Aristophanes: Clouds*, Oxford.
- (1974) *Greek Popular Morality in the Time of Plato and Aristotle*, Indianapolis/Cambridge.
- Fisher, N. R. E. (1992) *Hybris: a Study in the Values of Honour and Shame in Ancient Greece*, Warminster.

- (2003) Let Envy Be Absent: Envy, Liturgies and Reciprocity in Athens, in D. Konstan and N. K. Rutter (eds.), *Envy, Spite and Jealousy: the Rivalrous Emotions in Ancient Greece*, Edinburgh, 181–215.
- (2008) The Bad Boyfriend, the Flatterer and the Sykophant: Related Forms of the *Kakos* in Democratic Athens, in I. Sluiter and R.M. Rosen (eds.), *KAKOS: Badness and Anti-Value in Classical Antiquity*, Leiden/Boston, 185–231.
- Gagarin, M. (2002) *Antiphon the Athenian: Oratory, Law and Justice in the Age of the Sophists*, Austin.
- Gehrke, H.-J. (1985) *Untersuchungen zu den inneren Kriegen in den griechischen Staaten des 5. und 4. Jahrhunderts v. Chr.*, Munich.
- Griffiths, P. E. (1997) *What Emotions Really Are*, Chicago/London.
- Hall, E. (1995) Lawcourt Dramas: The Power of Performance in Greek Forensic Oratory, *Bulletin of the Institute of Classical Studies* 40, 39–58.
- Hansen, M. H. (1974) *The Sovereignty of the People's Court in Athens in the Fourth Century B.C. and the Public Action against Unconstitutional Proposals*, translated by J. Raphaelsen and S. Holbøll, Odense.
- (1976) *Apagoge, Endeixis and Ephegesis against Kakourgoi, Atimoi and Pheugontes: a Study in the Athenian Administration of Justice in the Fourth Century BC*, Odense.
- Hansen, M. H. and T. H. Nielsen (2004) *An Inventory of Archaic and Classical Poleis*, Oxford/New York.
- Harré, R. (ed.) (1986) *The Social Construction of Emotions*, London.
- Harré, R. and W. G. Parrott (eds.) (1996) *The Emotions Social, Cultural and Biological Dimensions*, London/Thousand Oaks/New Delhi.
- Harris, E. M. (2008) *Demosthenes, Speeches 20–22*, Austin.
- Harrison, A. R. W. (1971) *The Law of Athens. Vol. 2: Procedure*, Oxford.
- Harvey, F. D. (1985) *Dona ferentes*: Some Aspects of Bribery in Greek Politics, in P. A. Cartledge and F. D. Harvey (eds.), *CRUX: Essays Presented to G. E. M. de Ste. Croix on his 75th Birthday*, Exeter, 76–117.
- Harvey, D. (1990) The sykophant and sykophancy: Vexatious Redefinition?, in P. A. Cartledge, P. C. Millett, and S. Todd (eds.), *NOMOS: Essays in Athenian Law, Politics and Society*, Cambridge, 103–121.
- Hornblower, S. (1991) *A Commentary on Thucydides. Vol. 1*, Oxford.
- Johnson-Laird, P. N. and K. Oatley (2000) Cognitive and Social Construction in Emotions, in M. Lewis and J. M. Haviland-Jones (eds.), *Handbook of Emotions*, New York/London (second edition), 458–475 [first edition, 1993].
- Johnstone, S. (1999) *Disputes and Democracy: the Consequences of Litigation in Ancient Athens*, Austin.
- Kaster, R. A. (2005) *Emotion, Restraint, and Community in Ancient Rome*, Oxford.
- Kennedy, G. A. (2007) *Aristotle, On Rhetoric: a Theory of Civic Discourse*, New York/Oxford.
- Konstan, D. (2003) *Nemesis and Phthonos*, in G. W. Bakewell and J. P. Sickinger (eds.), *Gestures: Essays in Ancient History, Literature, and Philosophy Presented to Alan L. Boegehold*, Oxford, 74–87.
- (2006) *The Emotions of the Ancient Greeks: Studies in Aristotle and Classical Literature*, Toronto/Buffalo/ London.
- Kurihara, A. (2003) Person Enmity as a Motivation in Forensic Speeches, *Classical Quarterly* 53, 464–477.
- Lewis, N. (1986) *Greeks in Ptolemaic Egypt: Case Studies in the Social History of the Hellenistic World*, Oxford.
- MacDowell, D. M. (1978) *The Law in Classical Athens*, Ithaca.
- (2004) *Demosthenes: Speeches 27–38*, Austin.
- (2009) *Demosthenes the Orator*, Oxford.

- Migeotte, L. (2009) *The Economy of the Greek Cities: from the Archaic Period to the Early Roman Empire*, Berkeley/Los Angeles/London.
- Mirhady, D. C. (2000) Part One, in D. C. Mirhady and Y. L. Too, *Isocrates I*, Austin.
- Ober, J. (1989) *Mass and Elite in Democratic Athens: Rhetoric, Ideology, and the Power of the People*, Princeton.
- (1996) *The Athenian Revolution: Essays on Ancient Greek Democracy and Political Theory*, Princeton.
- Osborne, R. (1985) Law in Action in Classical Athens, *Journal of Hellenic Studies* 105, 40–58.
- (1990) Vexatious Litigation in Classical Athens: Sykophancy and the Sykophant, in P. A. Cartledge, P. C. Millett, and S. Todd (eds.), *NOMOS: Essays in Athenian Law, Politics and Society*, Cambridge, 83–102.
- Parrott, W. G. (1991) The Emotional Experiences of Envy and Jealousy, in P. Salovey (ed.), *The Psychology of Jealousy and Envy*, New York, 3–30.
- Reddy, W. M. (2001) *The Navigation of Feeling: a Framework for the History of Emotions*, Cambridge.
- Rhodes, P. J. (1981) *A Commentary on the Aristotelian Athēnaiōn Politeia*, Oxford.
- (1998) Enmity in Fourth-Century Athens, in P. Cartledge, P. Millett, and S. von Reden (eds.), *KOSMOS: Essays in Order, Conflict and Community in Classical Athens*, Cambridge, 144–161.
- Rosenwein, B. H. (2002) Worrying about Emotions in History, *American Historical Review* 107, 821–845.
- (2006) *Emotional Communities in the Early Middle Ages*, Ithaca/London.
- Rubinstein, L. (2000) *Litigation and Cooperation: Supporting Speakers in the Courts of Classical Athens*, Stuttgart.
- (2004) Stirring up Dicastic Anger, in D. L. Cairns and R. A. Knox (eds.), *Law, Rhetoric, and Comedy in Classical Athens: Essays in Honour of Douglas M. MacDowell*, Swansea, 187–203.
- (2009) Oratory, in G. Boys-Stones, B. Graziosi, and P. Vasunia, *The Oxford Handbook of Hellenic Studies*, Oxford/New York, 505–517.
- Sanders, E. (2008) *Pathos Phaulon: Aristotle and the Rhetoric of Phthonos*, in I. Sluiter and R.M. Rosen (eds.), *KAKOS: Badness and Anti-Value in Classical Antiquity*, Leiden/Boston, 255–281.
- (forthcoming) *Envy and Jealousy in Classical Athens*, New York.
- Sinclair, R. K. (1988) *Democracy and Participation in Athens*, Cambridge.
- Slater, W. J. (1995) The Theatricality of Justice, *The Classical Bulletin* 71, 143–157.
- Todd, S. (1993) *The Shape of Athenian Law*, Oxford.
- (1998) The Rhetoric of Enmity in the Attic Orators, in P. Cartledge, P. Millett, and S. von Reden (eds.), *KOSMOS: Essays in Order, Conflict and Community in Classical Athens*, Cambridge, 162–169.
- (2000) *Lysias*, Austin.
- Usher, S. (1999) *Greek Oratory: Tradition and Originality*, Oxford.
- Whitehead, D. (1983) Competitive Outlay and Community Profit: *Philotimia* in Democratic Athens, *Classica et Mediaevalia* 34, 55–74.
- Whitehead, D. and L. Rubinstein (forthcoming) *Isocrates: the Six Forensic Speeches*, Cambridge.
- Wierzbicka, A. (1999) *Emotions across Languages and Cultures: Diversity and Universals*, Cambridge.
- Wilson, P. (1996) Tragic Rhetoric: the Use of Tragedy and the Tragic in the Fourth Century, in M. S. Silk (ed.), *Tragedy and the Tragic*, Oxford, 310–331.
- Wolff, H. J. (1966) *Die Attische Paragraphe: ein Beitrag zum Problem der Auflockerung archaischer Prozessformen*, Weimar.